# FEDERAL REGISTER

VOLUME 18 NUMBER 9

Washington, Wednesday, January 14, 1953


## TITLE 7—AGRICULTURE

### Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter H—Determination of Wage Rates

[Sugar Determination 868.5]

PART 868—SUGARCANE: VIRGIN ISLANDS

CALENDAR YEAR 1953

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948, as amended (herein referred to as "act") after investigation, and consideration of the evidence obtained at the public hearing held in Christiansted, St. Croix, Virgin Islands, on September 29, 1952, the following determination is hereby issued.

§ 868.5 *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1953*—(a) *Requirements.* The requirements of section 301 (c) (1) of the act shall be deemed to have been met with respect to the production, cultivation, or harvesting of sugarcane in the Virgin Islands for the calendar year 1953; if the producer complies with the following:

(1) *Wage rates.* All persons employed on the farm in the production, cultivation, or harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the laborer, but after the date of issuance of this section, not less than the following:

(i) *Basic time rates.* The basic rates per hour for the first 8 hours of work performed in any 24 hour period shall be as follows:

| Class of worker: | *Basic rate per hour* |
|---|---|
| A. Operators of mechanical loaders | $0.65 |
| B. Operators of tractor and trucks | .50 |
| C. Chemical sprayers | .43 |
| D. All others | .40 |

(ii) *Overtime.*—Persons employed in excess of 8 hours in any 24-hour period or in excess of 44 hours in any one week shall be paid for the overtime work at a rate not less than one and one-half times the applicable hourly rate provided in subdivision (i) of this subparagraph: *Provided,* That this provision shall be inapplicable to workers who are employed under extraordinary emergencies as defined in section 4 (c) of St. Croix Municipal Council Bill No. 2, passed January 5, 1950.

(iii) *Handicapped workers.* For an individual whose productive capacity is impaired by age or physical or mental deficiency the hourly wage rates provided under subdivisions (i) and (ii) of this subparagraph may be decreased by not more than one-third: *Provided,* That the employer shall have available for examination by the local supervisor of the Caribbean Area Office of the Production and Marketing Administration, San Juan, Puerto Rico, a copy of the certificate of individual worker impairment issued by the St. Croix Municipal Council Wage Commissioner in accordance with the provisions of section 6 (a) of St. Croix Municipal Council Bill No. 43 passed July 3, 1952.

(iv) *Piecework rates.* If work is performed on a piecework rate basis, the rate shall be as agreed upon between the producer and the laborer: *Provided,* That the hourly rate of earnings for each worker for the time involved on each separate unit of work for which a piecework rate is agreed upon shall be not less than the applicable hourly rate provided under subdivisions (i), (ii) and (iii) of this subparagraph.

(2) *Perquisites.* In addition to the foregoing, the producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a dwelling, garden plot, pasture lot and medical services.

(b) *Subterfuge.* The producer shall not reduce the wage rates to laborers below those determined in this section through any subterfuge or device whatsoever.

(c) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this section may file a wage claim with the Caribbean Area Office, Production and Marketing Administration, San Juan, Puerto Rico, against the producer on whose farm the work was performed. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage claim forms are available at that office. Upon receipt of a wage claim the Caribbean Area Office shall thereupon notify the producer

(Continued on p. 273)

## CONTENTS

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.



## CONTENTS—Continued



## CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

## CODIFICATION GUIDE—Con.



against whom the claim is made concerning the representation made by the laborer and, after making such investigation as it deems necessary, shall notify the producer and laborer in writing of its recommendation for settlement of the claim. If the recommendation of the Caribbean Area Office is not acceptable, either party may file an appeal with the Director of the Sugar Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. Such appeal shall be filed within 15 days after receipt of the recommended settlement from the Area Office; otherwise, such recommended settlement will be applied in making payment under the act. If a claim is appealed to the Director of the Sugar Branch, his decision shall be binding on all parties insofar as payment under the act is concerned.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination provides fair and reasonable wage rates which a producer must pay, as a minimum, for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1953, as one of the conditions for payment under the act.

(b) *Requirements of the act and standards employed.* In determining fair and reasonable wage rates, the act requires that a public hearing be held, that investigations be made, and that consideration be given to (1) the standards formerly established by the Secretary under the Agricultural Adjustment Act, as amended, and (2) the differences in conditions among the various sugar producing areas.

A public hearing was held in Christiansted, St. Croix, Virgin Islands, on September 29, 1952, at which interested persons presented testimony with respect to fair and reasonable wage rates for the calendar year 1953. In addition, investigations have been made of the conditions affecting wage rates in the Virgin Islands. In this determination, consideration has been given to testimony presented at the hearing and to information resulting from investigations. The primary factors which have been considered are: (1) Cost of living; (2) prices of sugar and by-products; (3) income from sugarcane; (4) cost of production; and (5) relationship of labor cost to total cost. Other economic influences also have been considered.

(c) *1953 wage determination.* Basic minimum wage rates in this determination are increased in amounts ranging from 10 to 15 cents per hour above those in the 1952 wage determination. Coincident with the wage increase is the addition of a provision which permits producers to hire workers whose productive capacity is impaired by age or physical or mental deficiency at hourly rates not less than two-thirds of the basic minimum rates provided in the determination. For all such workers, the employer must retain on file and available for examination, a copy of the certificate of impairment issued by the local Wage Commissioner.

At the public hearing, a representative of the Virgin Islands Corporation recommended the continuance during 1953 of 1952 minimum wage rate requirements and indicated he favored a provision permitting the payment of lower wages to workers certified by a competent authority as handicapped. Representatives of workers recommended the adoption of the higher wage scale of the Municipal minimum wage and hour law, elimination of the use of piecework rates, a lower rate for certified handicapped workers and certain other worker benefits. One labor group recommended a minimum wage of 50 cents per hour.

The Virgin Islands historically has been a low wage and low income area. Insufficient rainfall in relation to the low moisture retention quality of the soils, inadequate yields of sugarcane and low recovery of sugar largely are responsible for these conditions. The Virgin Islands Corporation was created by the United States Government primarily to promote the general welfare of the people of the Islands through economic development. The Corporation, which is the Islands' only manufacturer of sugar and the largest producer of sugarcane, usually sustains significant financial losses despite efforts to reduce such losses through improved methods of agricultural production and mill operations. The increase in the Islands raw sugar mainland quota from 6,000 to 12,000 short tons annually, authorized by amendment to the Sugar Act of 1948 and effective January 1, 1953, may be expected to increase gross income and reduce unit operating costs.

On July 3, 1952, the Municipal Council of St. Croix amended a previous ordinance of January 5, 1950 which established a minimum wage and hour law for the Island of St. Croix, Virgin Islands. Minimum wages prescribed in the amended local ordinance were higher than those in the 1952 wage determination. To comply with the wage provisions of the Sugar Act, all producers must pay workers "in full" wages at agreed upon rates or the determination minimum rates whichever are higher. After amendment of the local ordinance, private producers could not agree to pay wages lower than the minimums prescribed therein. The Virgin Islands Corporation, however, not being subject to the local ordinance, could agree to wage rates lower than those in the local ordinance and accordingly, did not increase its wage rate schedule. With a view to providing the opportunity to workers to increase their hourly earnings, and at the same time to improving operational efficiency and to reducing unit costs, the Corporation shifted those of its hand labor field workers paid on a time basis to a piecework basis. In accordance with the requirements of the 1952 wage determination concerning piecework wages, the earnings of such workers on an hourly basis were at least as high as the minimum hourly rates prescribed in that determination.

The dual wage requirement that existed for a time as a result of the local wage action is eliminated with the issuance of this determination which contains the same minimum wage scale as the amended local ordinance. Provision for reduced wage rates for workers certified to be handicapped maintains or restores work opportunities to many persons who otherwise would be displaced by the extension of the piecework basis of employment. Employers also will be encouraged to hire such workers more extensively for time-rated jobs. The wage increase provided in this determination will improve the standard of living for many sugarcane field workers. To serve the same purpose and also to encourage improved worker performance the provision permitting the piecework method of wage payment is retained. The impact upon the Corporation's labor costs per unit of production will be mitigated by the continued availability of the piecework system and the provision which permits the employment of handicapped workers at reduced prices.

In recognition of the foregoing factors, the rates established in this wage determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. Sup. 1131)

Issued this 9th day of January 1953.

[SEAL] CHARLES F BRANNAN,
*Secretary of Agriculture.*

[F. R. Doc. 53-363; Filed, Jan. 13, 1953; 8:48 a. m.]

## Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

### PART 943—MILK IN THE NORTH TEXAS MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), hereinafter referred to as the "act" and of the order, as amended, regulating the handling of milk in the North Texas marketing area, hereinafter referred to as the "order" it is hereby found and determined that § 943.44 (c) and a certain provision of § 943.44 (e) of the order do not tend to

effectuate the declared policy of the act with respect to all milk subject to the provisions of the order from the effective date hereof.

It is hereby found and determined that notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that the (1) information upon which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this suspension order effective as set forth below is necessary to reflect current marketing conditions and to facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area, and (3) this action will immediately relieve certain restrictions imposed upon certain milk by the order. The changes caused by this suspension order do not require of persons affected substantial or extensive preparation prior to its effective date:

*It is therefore ordered,* That the following provisions of the order be and they are hereby suspended from the effective date of this order:

(1) Section 943.44 (c) in its entirety and

(2) In § 943.44 (e) the provision, "located not more than 200 miles distant by shortest highway distance as determined by the market administrator."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 8th day of January 1953, to be effective immediately.

[SEAL] CHARLES F BRANNAN,
*Secretary of Agriculture.*

[F. R. Doc. 53-298; Filed, Jan. 13, 1953; 8:45 a. m.]

# TITLE 32A—NATIONAL DEFENSE, APPENDIX

## Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Amdt. 14 to Supplementary Regulation 13]

### GCPR, SR 13 COKE—COAL CHEMICALS AND COKE OVEN GAS

### ADJUSTMENTS OF CEILING PRICES FOR TAR PROCESSORS AND MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 14 to Supplementary Regulation 13 to the General Ceiling Price Regulation is hereby issued.

#### STATEMENT OF CONSIDERATIONS

This Amendment 14 to Supplementary Regulation 13 to the General Ceiling Price Regulation, among other things, authorizes tar processors to adjust ceiling prices established under the GCPR and SR 13 to enable them to recover earnings to which the tar processing industry is entitled under the Industry Earnings Standard. It also permits producers covered by this supplementary regulation to propose alternate methods for computing ceiling prices in certain situations.

The tar processing industry consists of companies which refine coke oven and other tars. The major products of the industry are creosote and other oils, tar acids, naphthalene, tar paints and cements, protective coatings, road tars, and various grades and types of pitch. Total tar processed or refined by the industry during 1951 was approximately 675 million gallons.

Coke oven tar—the principal raw material of the industry—is produced in the operation of by-product coke ovens, most of which are operated by steel and pig iron companies, merchant coke producers, and public utilities. This tar is processed by some producers and others sell their tar to processors. While tar processing operations of all companies are basically similar, the larger processors normally carry the processing operation further and produce a wider range of products.

At the request of the Tar Processors' Industry Advisory Committee, the Office of Price Stabilization conducted a survey of the industry's earnings. Under the Industry Earnings Standard, an industry is permitted to adjust its ceiling prices so that its current earnings equal at least 85 percent of its average earnings during the best three years out of 1946–1949.

After conducting the survey and finding that the industry has experienced a decline in earnings resulting from higher labor, material and other costs, this office has concluded that an adjustment equivalent to 6 percent of the industry's sales would permit it to earn the minimum amount to which it is entitled under the Industry Earnings Standard.

Accordingly, this amendment permits each tar processor to adjust his individual product ceiling prices to recover the overall amount of allowable increase on his various tar products, subject to a maximum limitation of 10 percent increase in any ceiling price. To do so, each tar processor computes 6 percent of his total sales revenue for the 12-month period ended April 30, 1952, resulting from sales of products which are under the provisions of SR 13. (This period is considered representative of the industry's normal experience, since it covers the period before the recent steel strike.) He must exclude from his computation revenue obtained from exempt sales, such as those made under long-term contracts as defined in section 4, and intra-corporate transactions, except that revenue from long-term contracts may be included if the tar processor wishes; but such sales will no longer be exempt under the provisions of section 4. This overall amount of allowable increase may be apportioned among the tar processor's products, subject to the above-mentioned 10 percent limitation.

In providing the methods for determining the amount of adjustment which a by-product coke oven operator may make in his ceiling prices, this office recognizes that the reference periods prescribed for determining the amount of the coal cost increase may not be representative for some companies because of abnormal coal costs during either of the two periods specified in section 10 (a). For example, because of strikes or other work stoppages, the cost of coal during the June–September period may have been much higher than normal, with a resulting distortion in the amount of adjustment to which a producer would be entitled. To remedy such a situation, section 12 is added, which permits a by-product coke oven operator to apply for permission to use some period or periods other than those prescribed in section 10 for the computation of his coal cost increase.

Applications under section 12 are to be submitted in letter form and should contain all the information required under the subparagraphs of paragraph (a). Ceiling prices computed by using an alternate reference period may not be put into effect until 30 days after the application is received by the Director, unless, of course, the application is approved before that time. If the Director fails to act within 30 days, and if no further information is requested, the proposed ceiling price may be deemed to have been approved.

Section 3 (c) has been amended to remove the limitation of operating margin control from other sections of this supplementary regulation, retaining this limitation only for increases in ceiling prices made under section 3. This has been done to permit the operation of the other adjustment provisions in the supplementary regulation.

Section 3 (e) is also amended to prohibit use of section 3 if adjustments in ceiling prices are made under the other adjustment provisions in this supplementary regulation.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director of the Office of Price Stabilization, the provisions of this amendment are generally fair and equitable, and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the National defense effort to achieve the maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended.

#### AMENDATORY PROVISIONS

Supplementary Regulation 13 to the General Ceiling Price Regulation, as amended, is amended in the following respects:

1. Section 2 is amended by adding paragraph (k) as follows:

(k) "Sales" as used in section 11 means the total dollars of revenue obtained by a tar processor from the sale of coal tar and coal tar products, including water gas or residuum tar and products produced therefrom, exclusive of revenue obtained from sales which are exempt under the provisions of section 4 and intra-corporate transactions; except

that if a tar processor wishes to include revenue obtained from a long-term contract, he may do so, but thereafter the contract will no longer be exempt from the provisions of this supplementary regulation.

2. Section 3 (c) is amended by substituting the word "section" for "Supplementary Regulation" so that the paragraph will read:

(c) Nothing in this section shall authorize or permit a producer to increase his operating margin per ton of raw material carbonized above his operating margin during the base period January 1, 1950 to December 31, 1950, inclusive.

3. Section 3 (e) is amended by deleting the words "by-product coke oven" and "section 10" and substituting "any other section" so that the paragraph will read:

(e) None of the provisions of this section shall be applicable to any producer who adjusts his ceiling prices under the provisions of any other section of this supplementary regulation.

4. A new section 11 is added to read:

SEC. 11. *Adjustment for tar processors.* Each tar processor may adjust the ceiling prices established under the General Ceiling Price Regulation and this supplementary regulation for the products included in his "sales" (as defined in section 2 (k)) by an amount equivalent to 6 percent of such sales during the 12 months ended April 30, 1952, except that no ceiling price may be increased by more than 10 percent.

5. A new section 12 is added to read:

SEC. 12. *Alternate coal cost reference period for by-product coke oven operators.* (a) If the computation of new ceiling prices under section 10 would be distorted because the cost of coal during either prescribed period was abnormal, a by-product coke oven operator may apply to the Director of the Office of Price Stabilization, Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Washington 25, D. C., for permission to use an alternate reference period for computation of his coal cost increase. Such request shall be filed in letter form, in duplicate, by registered mail, return receipt requested, and shall contain the following information:

(1) Name and address of plant;

(2) Why the prescribed reference period is abnormal or not representative;

(3) Reference period the applicant proposes to use and details of computation under the proposed period, justifying its use.

(b) Ceiling prices computed, using an alternate reference period, shall not become effective unless or until they have been approved by the Director. If no action has been taken by the Director within 30 days after receipt of the application, or if additional information is requested, within 30 days after the additional information is received by the Office of Price Stabilization, the application shall be deemed to have been approved.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This Amendment 14 shall become effective January 12, 1953.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
*Director of Price Stabilization.*

JANUARY 12, 1953.

[F. R. Doc. 53-412; Filed, Jan. 12, 1953; 4:26 p. m.]

---

[General Ceiling Price Regulation, Amdt. 15 to Supplementary Regulation 13]

## GCPR, SR 13—COKE, COAL CHEMICALS AND COKE OVEN GAS

### BEEHIVE OVEN COKE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 15 to Supplementary Regulation 13 to the General Ceiling Price Regulation is hereby issued.

### STATEMENT OF CONSIDERATIONS

This Amendment to Supplementary Regulation 13 to the General Ceiling Price Regulation permits operators of beehive coke ovens to increase the ceiling prices of the products produced in such operations by an amount equivalent to 6 percent of their sales revenue during the 12-month period ended April 30, 1952. This action is in line with the adjustments recently granted to the by-product coke oven industry which is also covered by this supplementary regulation. Adjustments are permitted in the ceiling prices of beehive oven coke retroactive to September 29, 1952, to those producers who entered into adjustable pricing contracts as permitted in section 9 of Supplementary Regulation 13.

Data available to this office indicate that the beehive coke industry experienced increased costs of a substantial nature since price control was imposed. These include cost of coal, freight, and labor. The effect of these increases is such that in the opinion of the Director, the beehive coke industry's earnings are below the minimum which is established by the Agency's standards as fair and equitable. The amount of adjustment permitted under this amendment is intended to permit recovery of additional cost increases to the extent authorized under the standards of this Agency.

The beehive coke oven industry is a single-line industry producing coke mainly for industrial consumption, with less than one-half of one percent of the total product entering into domestic use. The largest users of beehive coke are the steel producers, who purchase it to supplement their coke supply which comes principally from by-product coke ovens. The supply of beehive coke is necessary to a continued high rate of steel operations.

Under this amendment each beehive coke oven operator shall determine 6 percent of the total revenue received from sales of his products which are not exempt under the provisions of section 4 of SR-13. He may then allocate this amount among his various coke products but he may not increase any ceiling price by more than 10 percent.

If a beehive coke oven operator had no "sales" during the 12-months period ended April 30, 1952, section 13 (b) permits such a producer to increase each ceiling price for beehive coke products established under the General Ceiling Price Regulation and SR-13 by 6 percent.

In the formulation of this amendment the Director has consulted with industry representatives, including trade association representatives to the extent practicable, and has given consideration to their recommendations.

In the judgment of the Director of the Office of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the National defense effort to achieve the maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

### AMENDATORY PROVISIONS

Supplementary Regulation 13 to the General Ceiling Price Regulation, as amended, is further amended in the following respects:

1. Section 2 is amended by adding paragraph (l) as follows:

(l) "Sales" as used in section 13 means the total dollars of revenue derived from the sales of products produced in a beehive coke oven, exclusive of revenue obtained from sales which are exempt under the provisions of section 4 and intra-corporate transactions; except that, if a beehive coke oven operator wishes to include revenue obtained from a long-term contract, he may do so but thereafter the contract will no longer be exempt from the provisions of this supplementary regulation.

2. A new section 13 is added to read:

SEC. 13. *Adjustment for beehive coke oven operators.* (a) Each beehive coke oven operator may adjust the ceiling prices established under the General Ceiling Price Regulation and this supplementary regulation for the products included in his "sales" (as defined in section 2 (l) by an amount equivalent to 6 percent of such sales during the 12-month period ended April 30, 1952, except that no ceiling price may be increased by more than 10 percent.

(b) If a beehive coke oven operator did not have any "sales" during the 12-months period ended April 30, 1952, he may adjust each ceiling price established under the General Ceiling Price Regulation and this supplementary regulation for a beehive coke oven product by 6 percent.

(c) To the extent that a beehive oven coke operator has availed himself of the adjustable pricing provisions of section 9 of this supplementary regulation, he

may increase ceiling prices of his coke products as permitted by this section retroactively to September 29, 1952.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This Amendment 15 shall become effective January 12, 1953.

JOSEPH H. FREEHILL,
*Director of Price Stabilization.*

JANUARY 12, 1953.

[F. R. Doc. 53-413; Filed, Jan. 12, 1953; 4:26 p. m.]

---

[Ceiling Price Regulation 24, Amdt. 23]

## CPR 24—CEILING PRICES OF BEEF SOLD AT WHOLESALE

### MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Economic Stabilization Agency General Order 2, Delegation of Authority by the Secretary of Agriculture with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Amendment 23 to Ceiling Price Regulation 24, is hereby issued.

### STATEMENT OF CONSIDERATIONS

This amendment makes several changes in Ceiling Price Regulation (CPR) 24.

1. This amendment removes the reporting requirements from sections 42 (b) 49A (c) and 49B, in keeping with the Office of Price Stabilization's policy of eliminating reporting requirements whenever possible. It has been determined that these reports are not needed at the present time.

2. This amendment also makes certain minor changes in the wording of sections 42 (b) 49A (c) and 49B. These changes make these sections uniform with similar provisions of CPR 101.

In formulating this amendment, the Director of Price Stabilization has consulted so far as practicable with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of the act.

It is not believed that this amendment will cause any substantial changes in business practices, cost practices or methods or means or aids to distribution; however, to the extent that such changes may be compelled, they are necessary to prevent circumvention or evasion of Ceiling Price Regulation 24, as amended.

### AMENDATORY PROVISIONS

Ceiling Price Regulation 24 is amended in the following respects:

1. Section 42 (b) (1) (iii) is amended to read as follows:

(iii) After December 1, 1951, neither you nor any person affiliated with you, sells any beef carcasses or wholesale cuts to any slaughterer, packer, packer's branch house, or any person affiliated therewith, except to a retail store that conducts or is affiliated with a slaughtering operation as an incidental part of its business;

2. Section 42 (b) (1) is amended by deleting subdivision (vi) inserting a period after the numbers "1950" in subdivision (v) in place of the semicolon and adding the following paragraph after subdivision (v)

If the Director of Price Stabilization finds that you have charged this addition on beef derived from affiliated sources, or that you have taken this addition on a greater volume of beef than that permitted in this paragraph, he may prohibit you from charging the affiliated wholesaler's addition thereafter.

3. Section 49a (c) is amended to read as follows:

(c) You may not during any calendar quarter, beginning on or after January 1, 1952, take the addition on a greater volume by weight of beef than you bought and resold for your own account from unaffiliated sources during the last calendar quarter of 1950. You shall file with your OPS District Office, on or before December 31, 1951, a statement showing the volume, by weight, of beef you bought and resold for your own account during the last calendar quarter of 1950. If the Director of Price Stabilization finds that you have charged this addition on a greater volume of beef than that permitted herein, he may prohibit you from charging this addition thereafter.

4. Section 49b (a) (2) is amended to read as follows:

(2) You do not, during any calendar quarter beginning on or after January 1, 1952, take the addition on a greater volume by weight of boneless beef than 70 percent of the total volume, by weight, of carcass beef purchased from unaffiliated sources during the last calendar quarter of 1950.

5. Section 49b (a) (3) is amended to read as follows:

(3) You file with your District Office on or before December 31, 1951, a statement showing the volume by weight of each grade of carcass beef obtained by you from unaffiliated sources during the last calendar quarter of 1950.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This amendment shall become effective January 17, 1953.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
*Director of Price Stabilization.*

JANUARY 13, 1953.

[F. R. Doc. 53-470; Filed, Jan. 13, 1953; 4:00 p. m.]

---

[Ceiling Price Regulation 34, Supplementary Regulation 34]

## CPR 34—SERVICES

### SR 34—HAND LAUNDRIES IN THE NEW YORK CITY AREA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 34 to Ceiling Price Regulation 34 is hereby issued.

### STATEMENT OF CONSIDERATIONS

This Supplementary Regulation to Ceiling Price Regulation 34 permits an increase in ceiling prices for hand laundries situated in the Counties of Bronx, New York, Kings, Queens, Richmond, Westchester, Nassau, and Suffolk, in New York State.

Hand laundries in this area do an estimated annual volume of business amounting to $16,000,000. A study of operating costs and profit margins of a representative number of these hand laundries reveals that increased labor and material costs have impaired pre-Korean earnings of such hand laundries. In addition in May 1952, new wage contracts were negotiated granting substantial wage increases to all classes of workers. The wage increases are all within the formula of Wage Stabilization Board regulations or have received Wage Stabilization Board approval. In June 1952 the Office of Price Stabilization issued Supplementary Regulation 19 to Ceiling Price Regulation 34 granting wholesale power laundries in the New York City Area permission to increase their ceiling prices by 5 percent. These cost increases have resulted in further impairment of the earnings of such hand laundries. The amount granted herein has been determined to be the minimum necessary to maintain the financial stability of these hand laundries in order to assure a continued supply of these essential hand laundry services.

Under the provisions of this supplementary regulation the charges of these hand laundries for their services may be increased by 6 percent. This uniform increase was determined in accordance with the standards for individual adjustment under section 20 of Ceiling Price Regulation 34. Such an adjustment may be applied to the total amount of each invoice rendered to the customer, and identified as the "OPS permitted price increase" If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34. At the option of the individual hand laundry, however, the ceiling price for each item may be increased by not more than 6 percent. Adjusted flat prices must within ten days after their determination be filed with the appropriate OPS District Office.

In the future, hand laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for their hand laundry services under section 20 of Ceiling Price Regulation 34.

In addition, the ceiling prices established by this supplementary regulation apply to all such hand laundry services, irrespective of any adjustment of ceiling prices heretofore granted under the provisions of Ceiling Price Regulation 34. Consequently, any adjustments granted under that regulation are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increase permitted by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; to U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. *Purpose.* This Supplementary Regulation permits hand laundries in the counties of Bronx, New York, Kings, Queens, Richmond, Westchester, Suffolk and Nassau, State of New York to increase the ceiling prices of their hand laundry services by 6 percent.

SEC. 2. *Relationship to Ceiling Price Regulation 34.* All provisions of Ceiling Price Regulation 34, as amended, unless changed by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. *Adjustment of ceiling prices.* You may, if you are a hand laundry located in the following counties of New York State: Bronx, New York, Kings, Queens, Richmond, Suffolk, Westchester and Nassau, increase your ceiling prices for hand laundry services established under section 5 of Ceiling Price Regulation 34, by 6 percent by either of the following methods:

(a) You may apply such increase to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp on each such invoice beside the adjustment the words "OPS permitted price increase" If you use this method of applying your price increase you need not make the supplementary filing required by Section 18 (c) of Ceiling Price Regulation 34.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 6 percent the ceiling prices of each hand laundry service item you supply. Within ten days after your prices are established under this subparagraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 (c) of Ceiling Price Regulation 34. You must also change or prepare and post on an official OPS poster the adjusted ceiling prices determined under this section. You may not use paragraph (a) of this section once you have elected to adjust ceiling prices under this subparagraph.

(c) If the increase computed in paragraph (a) or (b) above results in a fraction of a cent, the price must be decreased to the next lower cent if the fractional cent is less than one-half cent or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. *Application of section 20 of Ceiling Price Regulation 34.* (a) A hand laundry subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of its ceiling prices for hand laundry services under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this Supplementary Regulation shall be the maximum adjustment permitted any hand laundry in lieu of, and irrespective of, any adjustment heretofore granted any such hand laundry under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such hand laundry services under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

SEC. 5. *Definitions.* (a) "Hand laundries" as used in this regulation are laundry establishments receiving and distributing laundry, generally finishing some wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery services.

*Effective date.* This Supplementary Regulation 34 to Ceiling Price Regulation 34 shall become effective January 19, 1953.

NOTE: The record-keeping and reporting requirement of the regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
*Director of Price Stabilization.*

JANUARY 13, 1953.

[F. R. Doc. 58-465; Filed, Jan. 13, 1953; 11:48 a. m.]

---

[Ceiling Price Regulation 60, Amdt. 9]

## CPR 60—CASTINGS

### DEFINITION OF CASTINGS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to Ceiling Price Regulation 60 is hereby issued.

### STATEMENT OF CONSIDERATIONS

Ceiling prices for rough castings on which no further operations are performed except cleaning, snagging, rough grinding, inspecting, testing, rough drilling, or machining only for the purpose of inspecting or cleaning, and castings upon which further operations are performed but only if the product is designed solely to meet the buyer's specifications, are established pursuant to the provisions of Ceiling Price Regulation (CPR) 60. Some confusion has existed, however, as to the regulation under which ceiling prices for cast rolling mill rolls are established since in some cases they are cast and finished to the buyer's specifications, particularly those which are furnished as replacement parts, while in other cases they are replacements of rolls furnished by the manufacturer when he sold the machinery. Accordingly, some producers have been pricing such rolls pursuant to the provisions of CPR 60 while others have been establishing prices under the provisions of CPR 30. Still other producers have been establishing prices for almost identical rolls under the provisions of both CPR 60 and CPR 30, depending upon whether the rolls were designed to a buyer's specifications. Therefore, in order to eliminate the confusion which has existed and to enable all producers to establish their prices under a single regulation, the definition of castings set forth in section 8 (c) of CPR 60 is amended by this regulation to specifically include cast rolling mill rolls whether or not such rolls are designed solely to meet the buyer's specifications.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and full consideration has been given to their recommendations.

In the opinion of the Director of Price Stabilization, the provisions of this regulation are generally fair and equitable, comply with all applicable provisions of the Defense Production Act of 1950, as amended, and are necessary to effectuate the purposes of that act.

### AMENDATORY PROVISION

Section 8 (c) of Ceiling Price Regulation 60 is amended to read:

(c) "Casting" includes any product produced from molten metal or alloy which is formed in a mold or die and on which no further operations are performed, except cleaning, snagging, rough grinding, inspecting, testing, rough drilling, or machining only for the purpose of inspecting or cleaning. It also includes any such product upon which further operations are performed, but only if the product is designed solely to meet the buyer's specifications. It specifically includes cast rolling mill rolls whether or not such rolls are sold by the manufacturer of the rolling mill machinery.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This amendment is effective January 13, 1953.

JOSEPH H. FREEHILL,
*Director of Price Stabilization.*

JANUARY 13, 1953.

[F. R. Doc. 53-466; Filed, Jan. 13, 1953; 11:48 a. m.]

[Ceiling Price Regulation 101, Amdt. 11]

## CPR 101—Ceiling Prices of Veal Sold At Wholesale

### MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Economic Stabilization Agency General Order 2, Delegation of Authority by the Secretary of Agriculture with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Amendment 11 to Ceiling Price Regulation 101, is hereby issued.

### STATEMENT OF CONSIDERATIONS

1. This amendment changes Ceiling Price Regulation (CPR) 101 by removing the reporting requirements from sections 42 (b) and 49 (a) (1) in keeping with the Office of Price Stabilization's policy of eliminating reporting requirements whenever possible. It has been determined that these reports are not needed at the present time.

2. This amendment also makes certain minor changes in the wording of sections 42 (b) and 49 (a) These changes make these sections uniform with similar provisions of the other meat regulations.

In formulating this amendment, the Director of Price Stabilization has consulted so far as practicable with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of the act.

It is not believed that this amendment will cause any substantial changes in business practices, cost practices or methods or means or aids to distribution; however, to the extent that such changes may be compelled, they are necessary to prevent circumvention or evasion of Ceiling Price Regulation 101, as amended.

### AMENDATORY PROVISIONS

Ceiling Price Regulation 101 is amended in the following respects:

1. Section 42 (b) (1) (iii) is amended by changing the word "chain" therein to "retail" so that it now reads as follows:

(iii) After the effective date of this regulation, neither you, nor any person affiliated with you, sells any veal to any slaughterer, packer, packer's branch house, or any person affiliated therewith except to a retail store that conducts or is affiliated with a slaughtering operation as an incidental part of its business.

2. Section 42 (b) (1) is amended by deleting subdivision (iv).

3. Section 42 (b) (1) is amended by renumbering subdivisions (v) and (vi) as (iv) and (v), respectively, and inserting a period in place of the semicolon after the number, "1950", in new subdivision (v)

4. Section 42 (b) (1) is amended by deleting subdivisions (vii) and (viii) and adding the following after subdivision (v)

If the Director of Price Stabilization finds that you have charged this addition on veal from affiliated sources or that you have charged this addition on a greater volume of veal than that permitted in this section 42 (b) he may prohibit you from charging the affiliated wholesaler's addition thereafter.

5. Section 49 (a) (2) is amended to read as follows:

(2) You may not during any calendar quarter beginning on or after January 1, 1952, take the addition on a greater volume, by weight, of veal than you bought and resold for your own account during the last calendar quarter of 1950. You shall file with your OPS District Office on or before December 15, 1951, a statement showing the volume, by weight, of veal you bought and resold for your own account during the last calendar quarter of 1950. If the Director of Price Stabilization finds that you have charged this addition on a greater volume of veal than that permitted herein, he may prohibit you from charging this addition thereafter.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This amendment shall become effective January 17, 1953.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
*Director of Price Stabilization.*

JANUARY 13, 1953.

[F. R. Doc. 53-471; Filed, Jan. 13, 1953; 4:00 p. m.]

---

[General Overriding Regulation 7, Revision 1, Amdt. 15]

## GOR 7—Exemption and Suspension of Certain Food and Restaurant Commodities

### DECONTROL OF PORK SALES TO EMPLOYEES OF SLAUGHTERERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 7, Revision 1, is hereby issued.

### STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation (GOR) 7, Revision (Rev.) 1, adds, to the list of those sales for which ceiling prices have been suspended, sales of pork by slaughterers to their employees. Such sales were governed by Supplementary Regulation (SR) 65 to the General Ceiling Price Regulation. By the provisions of SR 65 slaugterers were permitted to make such sales at the ceiling prices established for sales of pork at wholesale by Ceiling Price Regulation (CPR) 74. The basis of this permission was to eliminate the burden of making weekly calculation of ceiling prices required by SR 65, which calculations slaughterers would not otherwise need to make inasmuch as they do not customarily sell to other ultimate consumers.

In view of the fact that CPR 74 has been suspended, it is deemed advisable to also decontrol sales of pork to employees of slaughterers in order not to reimpose the burden of weekly calculations upon slaughterers and thus, possibly, deter them from selling to their employees. No price increase to consumers will result from this action. Obviously, employees of slaughterers will not buy from them if they can buy pork at lower prices in retail stores.

In the formulation of this amendment it has not been practicable for the Director of Price Stabilization to consult with industry representatives, including trade association representatives. In the judgment of the Director the suspension under Article III of the regulation provided for by this amendment, will not defeat or impair the price stabilization program or the objectives of the Defense Production Act of 1950, as amended, and comply with the applicable provisions of that act.

### AMENDATORY PROVISIONS

General Overriding Regulation 7, Revision 1, Article III, is amended in the following respect:

A new section is added to Article III, to read as follows:

SEC. 14. *Suspension of controls applicable to sales of pork by slaughterers to their employees.* On and after January 13, 1953, the application of the provisions of Supplementary Regulation 65 to the General Ceiling Price Regulation, relating to sales of pork by a slaughterer to its employees, is suspended. If, however, you were required by Supplementary Regulation 65, or any other regulation heretofore issued to keep, prepare, or preserve any record concerning such sales, you shall continue to preserve and make available for examination by the Office of Price Stabilization, all such records which you were required to have on January 12, 1953. In addition, the Director of Price Stabilization or his authorized representative may, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, request or require you to submit data pertaining to price changes for such sales after January 13, 1953. This suspension will continue unless and until the Director of Price Stabilization terminates or modifies it.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This Amendment 15 to General Overriding Regulation 7, Revision 1, is effective January 13, 1953.

JOSEPH H. FREEHILL,
*Director of Price Stabilization.*

JANUARY 13, 1953.

[F. R. Doc. 53-467; Filed, Jan. 13, 1953; 4:00 p. m.]

[General Overriding Regulation 7, Revision 1, Amdt. 16]

## GOR 7—Exemption and Suspension of Certain Food and Restaurant Commodities

### Meals, Feeds and Feed Ingredients

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order Number 2, this amendment to General Overriding Regulation 7, Revision 1, is hereby issued.

### Statement of Considerations

This amendment to General Overriding Regulation 7, Revision 1, exempts from price control certain minor products used principally as feeds or feed ingredients. Production of the products covered by this amendment is very small. It is estimated that the supply of these products amounts to considerably less than one percent of the total feed supply. These minor products are of slight significance in the cost of living and their continuation under price control does not justify the administrative burden it imposes.

In the formulation of this amendment, there was consultation with industry representatives, to the extent practicable, and consideration has been given to their recommendations. Special circumstances have rendered consultation with trade association representatives impracticable.

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

### Amendatory Provisions

Paragraph (f) of section 2, article II, of General Overriding Regulation 7, Revision 1, is amended by adding new subparagraphs (6) and (7) to read as follows:

(6) Cake, sized cake, meal, cubes and pellets produced from the following seeds, nuts or kernels:

| | |
|---|---|
| Apricot kernels. | Palm kernels. |
| Apricot pits. | Perilla seeds. |
| Babassu kernels. | Poppy seeds. |
| Cohune kernels. | Rape seeds. |
| Coquito kernels. | Rubber seeds. |
| Corozo kernels. | Safflower seeds. |
| Hemp seeds. | Sesame seeds. |
| Ivory nuts. | Sunflower seeds. |
| Kapok seeds. | Tucum kernels. |
| Ouricury (Uricury) kernels. | |

(7) The following animal feeds and feed ingredients:

| | |
|---|---|
| Almond hull meal. | Olive pulp. |
| Asparagus butts. | Pineapple pulp or bran. |
| Artichoke silage. | Raisin pulp. |
| Avocado meal. | Shrimp meal or bran. |
| Cocoa meal. | Starfish meal. |
| Cocoa shells. | Tomato pomace. |
| Crab meal. | |
| Fenugreek meal. | |
| Ground oyster shells. | |

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This amendment is effective January 13, 1953.

Joseph H. Freehill,
*Director of Price Stabilization.*

January 13, 1953.

[F. R. Doc. 53-468; Filed, Jan. 13, 1953; 4:00 p. m.]

---

[General Overriding Regulation 24, Amdt. 1] to Revision 1]

## GOR 24—Community Pricing

### Groups 3A and 4A Classifications for Community Pricing; Local Shortage Exception

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Revision 1, Amendment 1, of General Overriding Regulation 24 is hereby issued.

### Statement of Considerations

This amendment to General Overriding Regulation 24, Revision 1, widens the Groups 3A and 4A classifications to include new stores and stores which have changed their pattern of purchasing so that they now obtain a significant portion of their goods from wholesalers rather than directly from manufacturers. The amendment also provides that stores classified in Group 3A or 4A must notify the OPS office for their area if their pattern of purchasing so changes as to bring their classifications into question. Finally, this amendment exempts from the community pricing program stores which have received "local shortage" adjustments pursuant to section 27 of Ceiling Price Regulation 15 or section 24 of Ceiling Price Regulation 16.

Prior to this amendment, Group 3 or 4 retailers could apply for permission to use the community dollars-and-cents ceiling prices fixed for Group 3A or 4A retailers if, during the latest calendar year or their most recent complete fiscal year, at least 40 percent by dollar volume of their dry grocery purchases were made from wagon wholesalers or from wholesalers who established ceiling prices under Ceiling Price Regulation 14. In order to provide a means for new Group 3 or 4 stores and stores which have lost or abandoned their facilities for buying directly from manufacturers to become classified as Group 3A or 4A stores before they have completed a year of operation, this amendment provides standards and procedures under which such stores may make applications on the basis of their estimate that they will make at least 40 percent of their purchases from wagon wholesalers or wholesalers establishing ceiling prices under CPR 14. In addition, this amendment changes the year's requirement to one of six months, thereby permitting stores which, while not necessarily abandoning direct buying facilities, have nevertheless changed their pattern of purchasing to apply for Group 3A or 4A classification on the basis of six months' experience.

Further, this amendment requires all Group 3A and 4A stores to notify the OPS office for their area if their volume of purchases from wholesalers for any calendar quarter falls below the level established in the regulation. Unless this change in the pattern of purchasing is shown to be merely temporary, the Group 3A or 4A authorization will be revoked.

Because of the nature of this amendment, consultation with industry representatives, including trade association representatives, has been deemed impracticable. In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

### Amendatory Provisions

General Overriding Regulation 24, Revision 1, is amended in the following respects:

1. The second sentence of section 1 is amended to read as follows: "Sales by retailers in which delivery is by mail or express and sales by stores which have received letter orders from OPS granting 'local shortage' adjustments pursuant to section 27 of CPR 15 or section 24 of CPR 16 shall not be covered by these orders."

2. Section 7 is amended to read as follows:

Sec. 7. *Reclassification of Group 3 and 4 stores purchasing from wholesalers.* (a) For purposes of community pricing, there shall be separate classifications for Group 3 and 4 stores under CPR 15 purchasing a substantial portion (as set forth in paragraphs (b) and (d) of this section) of their dry groceries from wholesalers. These stores shall be designated as Groups 3A and 4A, respectively.

(b) (1) If you are a Group 3 or 4 retailer, as defined in CPR 15, and if during the six month period prior to the date of your application, at least 40 percent of the net cost of the dry groceries purchased by you for the stores included in an application for adjustment was purchased from wholesalers establishing ceiling prices under CPR 14 or from wagon wholesalers, you may apply under this paragraph for permission to use the community dollars-and-cents ceiling prices fixed for Group 3A or 4A retailers.

(2) Your application must be filed by registered mail, return receipt requested, in duplicate with the OPS office for your area. You may include in one application two or more of your stores which operate as a unit with a central office or warehouse. The OPS office for your area shall mean the office having jurisdiction over the unit's central office or warehouse. Your application shall consist of (i) name and address of each store included in the application, (ii) the total net cost of dry groceries purchased by you for all of the stores included in the application during the six months immediately preceding the date of your

application, (iii) the net cost of such purchases from wholesalers, and (iv) the signature and title of an authorized person. You may not use Group 3A or 4A prices until your application has been approved.

(c) If, however, (1) under Maximum Price Regulation No. 422 issued by the Office of Price Administration you were either a Group 3A or 4A store, (2) you can establish that you were authorized by the OPA to use Group 3A or 4A ceiling prices and the authority was never revoked, and (3) you certify that your method of doing business has not changed in any material respect since the time you were authorized to use the Group 3A or 4A ceiling prices, you may consider yourself a Group 3A or 4A store under this regulation as soon as you have filed your application in accordance with paragraph (b) (2) of this section and furnish the information otherwise provided for by this paragraph. This authority may be withdrawn if it is determined that your store does not qualify for adjustment under this section. If you are a store in Group 1 or 2, as defined in CPR 16, pricing as a Group 3 or 4 store under section 2 (d) of CPR 16, you may consider yourself classified in Group 3A or 4A, respectively, as soon as you have notified the OPS office for your area.

(d) (1) (i) If after August 1, 1952, you open a new store and you estimate that at least 40 percent of the net cost of the dry groceries purchased by your store in the first six months of operation will be purchased from wagon wholesalers or from wholesalers establishing ceiling prices under CPR 14, you may apply for permission to use the dollars-and-cents ceiling prices fixed for Group 3A or 4A retailers.

(ii) You may also apply for permission to use the ceiling prices fixed for 3A or 4A retailers if, after having been classified in Group 3 or 4, you lose or abandon your warehousing or other facilities for buying directly from manufacturers or processors and you can make the estimate required for new stores under this paragraph. In this case, you must treat the six months period as beginning with the date of your application.

(2) Your application must be filed by registered mail, return receipt requested, in duplicate with the OPS office for your area. It should contain (i) the name and address of your store, (ii) the names and addresses of any Group 3A or 4A stores you are presently operating, (iii) the basis for your estimate that at least 40 percent of the net cost of the dry groceries purchased by the store will be purchased from wagon wholesalers or from wholesalers establishing ceiling prices under CPR 14, and (iv) the signature and title of an authorized person. You may not use Group 3A or 4A prices until your application has been approved.

(e) If you have been reclassified under this section as a Group 3A or 4A store, and if you find at the end of any calendar quarter your dollar volume of purchases of dry groceries from wagon wholesalers or from wholesalers establishing prices under CPR 14 falls below 40 percent of the net cost of the dry groceries purchased by you during the quarter you must within 10 days after the end of the quarter, notify the OPS office for your area in writing, of this change in your pattern of purchasing. Unless you can demonstrate that this change is merely temporary, the OPS will revoke your classification. In addition, the OPS may at any time revoke a reclassification granted under this section if it finds that you are no longer qualified.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

*Effective date.* This amendment is effective January 17, 1953.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
*Director of Price Stabilization.*

JANUARY 13, 1953.

[F. R. Doc. 53-469; Filed, Jan. 13, 1953; 4:00 p. m.]

## Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-105, Amdt. 1 of Jan. 13, 1953]

M-105—MAINTENANCE, REPAIR, OPERATING SUPPLIES, CAPITAL ADDITIONS, AND REPLACEMENTS FOR IRON AND STEEL PRODUCERS

DEFINITION OF PRODUCER

This amendment to NPA Order M-105 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this amendment, there has been consultation with industry representatives and consideration has been given to their recommendations.

EXPLANATORY

This amendment affects NPA Order M-105 dated May 29, 1952, by amending the definition of producer as covered by subparagraph (2) of paragraph (b) of section 2, and by making a minor change in the wording of section 9.

AMENDATORY PROVISIONS

1. Section 2 (b) (2) as amended, now reads as follows:

(2) Produces any one or more of the products listed in Parts B, C, and D of Table I of NPA Order M-1, including ingot molds and stools but excluding malleable castings and gray iron castings; or

2. Section 9, as amended, now reads as follows:

SEC. 9. *Use of materials for another purpose.* If a producer has obtained materials by applying the allotment symbol W-6 or the rating DO W-6, as the case may be, he may use such materials for a different purpose if, under an authorized production schedule or an authorized construction schedule, he could have applied any other allotment symbol or DO rating to acquire them for such purpose. If he does use them for such other purpose, however, he may not use the allotment symbol W-6 or the rating DO W-6 to replace such materials in inventory but he may use only the allotment symbol or the DO rating under such authorized production or construction schedule which he might have applied to obtain such materials for the purpose for which he used them. If he uses such materials obtained by applying the allotment symbol W-6 or the rating DO W-6 for such purpose, his records must be adequate to show that his purchases of materials are substantially proportionate to his authorized uses.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment shall take effect January 13, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
*Executive Secretary.*

[F. R. Doc. 53-457; Filed, Jan. 13, 1953; 11:11 a. m.]

## Chapter XI—Defense Electric Power Administration, Department of the Interior

[DEPA Order EO-4A, Direction 2, Revocation]

EO-4A—LIMITATION OF CONSUMPTION AND DELIVERIES OF ELECTRIC ENERGY IN PACIFIC NORTHWEST

DIR. 2—QUOTA AND OTHER LIMITATIONS ON CONSUMPTION AND DELIVERIES OF ELECTRIC ENERGY

REVOCATION

Direction 2 to EO-4A is hereby revoked. This revocation does not relieve any person of any obligation or liability incurred under Direction 2 to EO-4A, nor deprive any person of any rights received or accrued under said direction prior to the effective date of this revocation.

(64 Stat. 816; 50 U. S. C. App. 2154)

This revocation shall take effect Tuesday, January 13, 1953.

JAMES F DAVENPORT,
*Administrator, Defense Electric Power Administration.*

JANUARY 13, 1953.

[F. R. Doc. 53-463; Filed, Jan. 13, 1953; 11:40 a. m.]

# TITLE 35—PANAMA CANAL

## Chapter I—Canal Zone Regulations

[Canal Zone Order 30]

PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

MISCELLANEOUS AMENDMENTS

JANUARY 6, 1953.

By virtue of the authority vested in the President of the United States by section 9 of title 2 of the Canal Zone Code, approved June 19, 1934, and delegated to me by Executive Order No. 9746 of July

1, 1946, as amended by Executive Order No. 10101 of January 31, 1950, it is ordered as follows:

1. Such of the rules prescribed by Executive Order No. 4314 of September 25, 1925, as amended, as are contained in Part 4—Operation and Navigation of Panama Canal and Adjacent Waters, of Title 35 of the Code of Federal Regulations, are, subject to the provisions following, hereby adopted in the form in which they appear in said part, superseding the corresponding provisions of Executive Order No. 4314, as amended.

2. Subpart designations for said Part 4, superseding the corresponding center headings, are hereby prescribed as follows: Subpart A—General, comprising §§ 4.1 through 4.11, Subpart B—Arriving and Departing Vessels, comprising §§ 4.12 through 4.21a, Subpart C—Pilots, comprising §§ 4.22 through 4.27· Subpart D—Requirements Concerning Officers, Crew, Equipment, and Passengers, comprising §§ 4.28 through 4.47a; Subpart E—Transportation and Handling of Hazardous Cargoes, comprising §§ 4.106 through 4.127· Subpart F—Accidents and Claims, comprising §§ 4.128 through 4.140; Subpart G—Radio Communication, comprising §§ 4.141a through 4.151, Subpart H—Vessel Wastes; Obstructions in Waters,. comprising §§ 4.152 through 4.156; Subpart I—Licensing of Officers of Vessels, comprising §§ 4.157 through 4.160; Subpart J—Protection of Canal and Maintenance of its Neutrality, comprising §§ 4.161 through 4.176; and new Subpart K—Provisions for the Prevention of Collisions, comprising new §§ 4.201 through 4.303, as added by item 4 hereof. Present §§ 4.48 through 4.93 and the center heading appertaining thereto are hereby revoked.

3. In Subpart A—General, as above adopted and designated, new §§ 4.10a through 4.10h are hereby added as follows:

§ 4.10a *Clear view forward from bridge.* No vessel shall be navigated in Canal Zone waters unless the cargo booms, awnings, ventilator cowls and ship's gear are stowed, rigged or secured in such manner as not to interfere with a clear view forward from the bridge.

§ 4.10b *Towing of certain vessels required.* Any vessel arriving at a terminal port of the Panama Canal for transit and having a mean draft in excess of that allowed under the New International Loadline Regulations for the tropical zone as determined by American Bureau of Shipping, Lloyd's Register or other acceptable certifying agency, shall be required to take the services of a Panama Canal tug or tugs from Pacific entrance Channel buoys 1 and 2 to Gamboa Reach, from the north end of Gatun Locks to buoy 3 in Cristobal harbor, and vice versa. Any vessel without mechanical motive power, or the machinery of which is or becomes disabled, or which steers badly, or which is liable to become unmanageable for any reason, shall be towed through the Canal; and the Marine Director may require any vessel to take a tug or tugs through Gaillard Cut, in the approaches to the locks, or in any other part of the Canal, when in his judgment such action is necessary to insure the safety of the vessel or of the Canal. The tug service in any of these cases shall be chargeable to the vessel. The master of a vessel which steers badly, or which is liable to become unmanageable for any reason, shall report such fact and request the services of a tug.

§ 4.10c *Anchoring in Canal Zone waters.* No vessel shall anchor within the navigable waters of the Canal Zone in other than a designated anchorage, except in an emergency.

§ 4.10d *Assignment of berth.* All vessels entering port shall take the berth or dock assigned them by the Port Captain or such other person or persons as may be designated by the Marine Director.

§ 4.10e *Shifting berth.* No vessel shall be shifted from one berth to another without the prior approval of the Port Captain or such other person or persons as may be designated by the Marine Director or under such other conditions as the Marine Director may prescribe.

§ 4.10f *Obstructions not to be placed across channels or docks.* No warp or line shall be passed across any channel or dock so as to obstruct the passage of vessels or cause any interference with the discharging of cargoes.

§ 4.10g *Navigation in Gaillard Cut.* No vessel other than a vessel transiting the Canal shall navigate in Gaillard Cut except by authority of the Marine Director.

§ 4.10h *Same; control by Port Captain, Balboa.* The movement of vessels in Gaillard Cut shall be regulated by the Port Captain, Balboa, through the signal stations and Pedro Miguel Locks, or by such other persons and through such other stations or facilities as the Marine Director may designate.

(Sec. 5, 37 Stat. 562, as amended; 2 C Z Code, 9, 48 U. S. C. 1318. E. O. 9746, July 1, 1946, 11 F. R. 7329, 3 CFR, 1946 Supp., E. O. 10101, January 31, 1950, 15 F. R. 595, 3 CFR, 1950 Supp.)

4. New Subpart K is hereby added as follows:

## Subpart K—Provisions for the Prevention of Collisions

### Application and Definitions



### Lights and Shapes



### Sound Signals in Fog, Aground, at Anchor, etc.



### Steering and Sailing Rules



### Miscellaneous

Sec.
4.302 Discovery of defect in vessel during transit.
4.303 Precautions required by ordinary practice of seamen or by special circumstances.

AUTHORITY: §§ 4.201 to 4.303 issued under sec. 5, 37 Stat. 562, as amended; 2 C Z Code 9, 48 U. S. C. 1318. E. O. 9746, July 1, 1946, 11 F. R. 7329, 3 CFR, 1946 Supp., E. O. 10101, Jan. 31, 1950, 15 F. R. 595, 3 CFR, 1950 Supp.

APPLICATIONS AND DEFINITIONS

§ 4.201 *Application of subpart.* The provisions of this subpart shall be applicable to vessels and seaplanes upon the navigable waters of the Canal Zone between a line connecting East Breakwater Light and West Breakwater Light at the Atlantic Entrance to the Canal in Limon Bay and a line passing through Channel Buoys 1 and 2 extended to the Canal Zone boundary lines at the Pacific Entrance in Panama Bay. Upon all waters of the Canal Zone to seaward, outside these limits, the International Rules shall apply. Where any naval or military vessel of special construction as certified to by the Secretary of the Navy or the Secretary of the Treasury in the case of Coast Guard vessels operating under the Treasury Department, or by a corresponding official of a state, other than the United States, shall by virtue of statute, convention or treaty be exempted from compliance with the International Rules, such vessel shall similarly be exempted from compliance with any corresponding requirement under the provisions of this subpart.

§ 4.202 *Definitions.* As used in this subpart, except where the context requires otherwise:

(a) The word "vessel" includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;

(b) The word "seaplane" includes a flying boat and any other aircraft designed to maneuver on the water;

(c) The term "power-driven vessel" means any vessel propelled by machinery other than a motorboat;

(d) The word "motorboat" means any vessel 65 feet or less in length which is propelled by machinery except tugboats and towboats propelled by steam, and includes all vessels or boats temporarily equipped with a detachable motor;

(e) Every power-driven vessel or motorboat which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a power-driven vessel or a motorboat, as the case may be;

(f) A vessel or seaplane on the water is "underway" when she is not at anchor, or made fast to the shore, or aground;

(g) The term "height above the hull" means height above the uppermost continuous deck;

(h) The length and breadth of a vessel shall be deemed to be the length and breadth appearing in her certificate of registry;

(i) The length and span of a seaplane shall be its maximum length and span as shown in its certificate of airworthiness, or as determined by measurement in the absence of such certificate;

(j) The word "visible" when applied to lights, means visible on a dark night with a clear atmosphere;

(k) The term "short blast" means a blast of about one second's duration;

(l) The term "prolonged blast" means a blast of from four to six seconds duration;

(m) The word "whistle" means whistle or siren;

(n) The word "tons" means gross tons;

LIGHTS AND SHAPES

§ 4.210 *Lights; when required to be exhibited.* The provisions in this subpart concerning lights shall be complied with in all weathers from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the prescribed lights, or impair their visibility or distinctive character, or interfere with the keeping of a proper lookout: *Provided, however* That seagoing vessels, the lights of which comply with the International Rules, shall not be required to comply with any additional requirements respecting lights contained herein.

§ 4.211 *Same; power-driven vessel under way.* A power-driven vessel when under way shall carry:

(a) On or in front of the foremast, or if a vessel without a foremast then in the forepart of the vessel, a bright white light so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass (225 degrees) so fixed as to show the light 10 points (112½ degrees) on each side of the vessel, that is, from right ahead to 2 points (22½ degrees) abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(b) Either forward of or abaft the white light mentioned in paragraph (a) of this section, a second white light similar in construction and character to that light.

(c) These two white lights shall be so placed in a line with and over the keel that one shall be higher than the other and in such a position that the lower light shall be forward of the upper one. The horizontal distance between the two white lights shall be at least three times the vertical distance.

(d) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass (112½ degrees) so fixed as to show the light from right ahead to 2 points (22½ degrees) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(e) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass (112½ degrees), so fixed as to show the light from right ahead to 2 points (22½ degrees) abaft the beam on the port side, and of such a character as to be visible at a distance of at least two miles.

(f) The said green and red sidelights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bows.

(g) At the stern a white light so constructed that it shall show an unbroken light over an arc of the horizon of 12 points of the compass (135 degrees), so fixed as to show the light 6 points (67½ degrees) from right aft on each side of the vessel, and of such a character as to be visible at a distance of at least 2 miles. Such light shall be carried as nearly as practicable on the same level as the sidelights.

§ 4.212 *Same; seaplane under way on the water.* A seaplane under way on the water shall carry:

(a) In the forepart amidships where it can best be seen a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 220 degrees of the compass, so fixed as to show the light 110 degrees abaft the beam on either side, and of such a character as to be visible at a distance of at least 3 miles.

(b) On the right or starboard wing tip a green light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(c) On the left or port wing tip a red light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(d) On the tail a white light, so constructed as to show an unbroken light over an arc of the horizon of 140 degrees of the compass, so fixed as to show the light 70 degrees from right aft on each side of the seaplane, and of such a character as to be visible at a distance of at least 2 miles.

§ 4.213 *Same; power-driven vessel or motorboat from 26 to 65 feet in length towing or pushing another vessel or seaplane.* A power-driven vessel or a motorboat from 26 to 65 feet in length when towing another vessel or vessels alongside or by pushing ahead shall carry two bright white lights in a vertical line, one over the other, not less than three feet apart, and when towing one or more vessels astern, regardless of the length of the tow, shall carry an additional bright white light an equal distance above or below such lights. Each of these lights shall be of the same construction and character, and one of them shall be carried in the same position as the white light mentioned in § 4.211 (a) or § 4.224 (a) *Provided, however,* That on a vessel with a single mast, such lights may be carried on the mast. The towing vessel shall also show the side lights, stern light, and the forward or after range light of a power-driven vessel or motorboat from 26 to 65 feet in length under way.

§ 4.214 *Lights and shapes; vessel or seaplane on the water, not under com-*

*mand.* (a) A vessel which is not under command shall carry, where they can best be seen, two red lights in a vertical line, one over the other, not less than six feet apart, and of such a character as to be visible all around the horizon at a distance of at least 2 miles, such lights to be, if the vessel is a power-driven vessel, in lieu of the range lights required by § 4.211 (a) (b) and in lieu, if the vessel is a motorboat, of the white lights required by § 4.223 (a) or § 4.224 (a) (b) By day she shall carry in a vertical line, one over the other, not less than six feet apart, where they can best be seen, two black balls or shapes each not less than 2 feet in diameter.

(b) A seaplane on the water which is not under command may carry, where they can best be seen, two red lights in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible all around the horizon at a distance of at least 2 miles, and may by day carry in a vertical line one over the other not less than 3 feet apart, where they can best be seen, two black balls or shapes, each not less than 2 feet in diameter.

(c) The vessels and seaplanes referred to in this section, when not making way through the water shall not carry the colored side lights, but when making way they shall carry them.

(d) The lights and shapes required to be shown by this section are to be taken by other vessels and seaplanes as signals that the vessel or seaplane showing them is not under command and cannot therefore get out of the way.

(e) These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in § 4.300.

§ 4.215 *Same; vessels transporting inflammable, explosive, or otherwise dangerous commodities.* A vessel employed in the transportation or transfer of inflammable, explosive, or otherwise dangerous commodities shall carry, in addition to her appropriate mooring, anchor, or navigation lights, where it can best be seen, a red light of such a character as to be visible all around the horizon at a distance of at least two miles. By day she shall display, where it can best be seen, a red flag.

§ 4.216 *Same; Canal floating equipment operated by maneuvering lines.* Units of Canal floating equipment operated by maneuvering lines, when such lines are taut, shall carry a red light on each side located at least 8 feet above the deck and near the positions of the maneuvering lines which lights shall be so constructed as to show all around the horizon and be plainly visible at a distance of at least one mile. By day, such units shall carry a black ball on each side in some conspicuous place located at least 8 feet above the deck and near the positions of the maneuvering lines. When such maneuvering lines are slack so that they no longer form an obstruction in the channel, the red light over the slack wire shall be extinguished and, by day, the black ball on such side shall be lowered. Canal floating units from which divers are working or which are under repair at the side of the Canal, shall display, where it can best be seen, a similar red light by night and a red flag by day.

§ 4.217 *Lights; marking of pipe lines laid in navigable waters.* Whenever a pipe line is laid in navigable waters, it shall be marked at night by red lights at intervals of two hundred feet. The lights marking the limits of the gate shall be a vertical display of a white and a red light, the white light to be at least four feet above the red light. These lights shall be so constructed as to show all around the horizon and be visible from a distance of at least one mile.

§ 4.218 *Same; ferryboats.* Ferry boats shall carry the lights required by this subpart for vessels of their class: *Provided, however* That double-end ferryboats shall carry, in lieu of the required range lights and stern light, a central range of clear bright white lights showing all around the horizon at equal altitudes forward and aft and visible at a distance of at least 5 miles.

§ 4.219 *Same; sailing vessel under way and vessel or seaplane being towed.* A sailing vessel under way and any vessel or seaplane being towed shall carry the same lights as are prescribed by §§ 4.211 and 4.212 for a power-driven vessel or a seaplane under way, respectively, with the exception of the white lights specified in §§ 4.211 (a) (b) and 4.212 (a) which they shall never carry. In a small vessel, if it is not possible on account of bad weather or other sufficient cause for the stern light as described in § 4.211 (g) to be fixed, an electric torch or a lighted lantern shall be kept at hand ready for use and shall, on the approach of an overtaking vessel be shown in sufficient time to prevent collision.

§ 4.220 *Same; vessel being pushed ahead.* A vessel being pushed ahead shall carry, at the forward end, on the starboard side a green light and on the port side a red light, which shall have the same characteristics as the lights described in §§ 4.211 (d) and 4.211 (e) and shall be screened as provided in § 4.211 (f) *Provided,* That any number of vessels pushed ahead in a group shall be lighted as one vessel.

§ 4.221 *Same; tows made up of barges, scows, etc.* In a tow made up of barges, scows, etc., being towed by a hawser in tandem, each craft making up such tow shall carry a white light at the bow and another at the stern; when any such tow is made up of two or more craft abreast, a white light shall be carried at each corner of such tow. Tows made up of barges, scows, etc., being towed alongside the towing vessel, shall display a white light on the outer bow and another on the outer stern of such tow. The white lights required under this section shall be so constructed and fixed, and of such a character, as to show an unbroken light visible all around the horizon at a distance of at least one mile.

§ 4.222 *Same; use of portable side lights on small vessels in certain cases.* In small vessels, when it is not possible on account of bad weather or other sufficient cause to fix the green and red side lights, these lights shall be kept at hand lighted and ready for immediate use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than 2 points (22½ degrees) abaft the beam on their respective sides. To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the color of the lights they respectively contain, and shall be provided with proper screens.

§ 4.223 *Same; motorboats under 26 feet in length.* Motorboats under 26 feet in length when under way shall carry:

(a) In the afterpart of the vessel, a bright white light, so constructed as to show an unbroken light all around the horizon and of such a character as to be visible at a distance of at least two miles.

(b) In the forepart of the vessel and lower than the white light mentioned in paragraph (a) of this section, a combined lantern showing a green light to starboard and a red light to port, so fixed as to show the light from right ahead to two points abaft the beam on their respective sides, and of such a character as to be visible at a distance of at least one mile.

§ 4.224 *Same; motorboats 26 to 65 feet in length.* Motorboats 26 to 65 feet in length when under way shall carry:

(a) In the forepart of the vessel and as near the stem as practicable, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible at a distance of at least two miles.

(b) In the after part of the vessel, and higher than the light mentioned in paragraph (a) of this section, a bright white light so constructed as to show all around the horizon, and of such a character as to be visible at a distance of at least two miles.

(c) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to show the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least one mile.

(d) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to show the light from right ahead to two points abaft the beam on the port side, and of such character as to be visible at a distance of at least one mile.

(e) The said green and red (side) lights shall be fitted with inboard screens in such a manner so as to prevent these lights from being seen across the bows.

§ 4.225 *Same; small rowing boats under oars or sail.* Small rowing boats, whether under oars or sail, shall only be required to have ready at head an electric torch or a lighted lantern showing a white light, which shall be exhibited in sufficient time to prevent collision.

§ 4.226 *Same; pilot launches engaged on pilot duty and not at anchor* A pilot launch, when engaged on pilot duty and not at anchor shall, in addition to the lights required of motorboats of her class by § 4.224, carry directly below her after white light, a red light, so constructed and so fixed, and of such character, as to be visible all around the horizon at a distance of at least two miles.

§ 4.227 *Lights and shapes; vessel at anchor* (a) A vessel under 150 feet in length, when at anchor, shall carry in the forepart of the vessel, where it can best be seen, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least 2 miles.

(b) A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forepart of the vessel, at a height of not less than 20 feet above the hull, one such light, and at or near the stern of the vessel and at such a height that it shall be not less than 15 feet lower than the forward light, another such light. Both these lights shall be visible all around the horizon at a distance of at least 3 miles.

(c) Between sunrise and sunset every vessel when at anchor shall carry in the forepart of the vessel, where it can best be seen, one black ball not less than 2 feet in diameter.

(d) Vessels not more than 65 feet in length when at anchor in any special anchorage designated by the Governor for such vessels shall not be required to carry or exhibit the white light specified in paragraph (a) of this section, nor the black ball specified by paragraph (c) of this section.

§ 4.228 *Lights; seaplane at anchor* (a) A seaplane on the water under 150 feet in length, when at anchor, shall carry, where it can best be seen, a white light, visible all around the horizon at a distance of at least 2 miles.

(b) A seaplane on the water 150 feet or upwards in length, when at anchor, shall carry, where they can best be seen, a white light forward and a white light aft, both lights visible all around the horizon at a distance of at least 3 miles; and, in addition, if the seaplane is more than 150 feet in span, a white light on each side to indicate the maximum span, and visible, so far as practicable, all around the horizon at a distance of one mile.

§ 4.229 *Same; vessel aground.* A vessel aground shall carry by night the light or lights prescribed in § 4.227 (a) or (b) and the two red lights prescribed in § 4.214 (a) By day she shall carry, where they can best be seen, three black balls, each not less than 2 feet in diameter, placed in a vertical line one over the other, not less than 6 feet apart.

§ 4.230 *Lights; seaplane aground.* A seaplane aground shall carry an anchor light or lights as prescribed in § 4.228 (a) or (b), and in addition may carry two red lights in a vertical line, at least 3 feet apart, so placed as to be visible all around the horizon.

§ 4.231 *Same; vessel or seaplane moored at wharf or side of Canal.* A vessel or seaplane moored alongside a wharf or at the side of the Canal and every vessel or seaplane in a nest which is so moored shall display over the offshore side of the vessel, both at the bow and at the stern, a white light of such character as to be plainly visible from the Canal at a distance of at least one mile.

§ 4.232 *Lights and sound signals to attract attention.* Every vessel or seaplane on the water may, if necessary in order to attract attention, in addition to the lights which she is by the provisions in this subpart required to carry, show a flare up light or use a detonating or other efficient sound signal that cannot be mistaken for any signal authorized elsewhere in this subpart.

§ 4.233 *Shape signal of vessel both under sail and machinery.* A vessel proceeding under sail, when also being propelled by machinery, shall carry in the daytime forward, where it can best be seen, one black conical shape, point upwards, not less than two feet in diameter at its base.

§ 4.234 *Blinding lights not to be directed into pilot house.* Under no circumstances shall the rays of a search light or any other type of blinding light be directed into the pilot house, or in any other manner or direction which would interfere with the navigation of another vessel.

SOUND SIGNALS IN FOG, AGROUND, AT ANCHOR, ETC.

§ 4.250 *Sound signals; how given.* A power-driven vessel shall be provided with an efficient whistle, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient forghorn to be sounded by mechanical means, and also with an efficient bell. A sailing vessel of 20 gross tons or upwards shall be provided with a similar foghorn and bell. All signals prescribed by § 4.251 for vessels under way shall be given:

(a) By power-driven vessels or motorboats on the whistle;

(b) By sailing vessels on the foghorn;

(c) By vessels towed on the whistle or fog-horn.

§ 4.251 *Same; vessel in fog, mist, etc.* In fog, mist, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals described in this section shall be used as follows:

(a) *Power-driven vessel or motorboat making way.* A power-driven vessel or motorboat making way through the water, shall sound at intervals of not more than one minute, a prolonged blast.

(b) *Power-driven vessel or motorboat under way but not making way.* A power-driven vessel or motorboat under way, but stopped and making no way through the water, shall sound, at intervals of not more than one minute, two prolonged blasts, with an interval of about 1 second between them.

(c) *Sailing vessel under way.* A sailing vessel under way shall sound, at intervals of not more than one minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

(d) *Vessel at anchor* A vessel when at anchor shall at intervals of not more than one minute ring the bell rapidly for about 5 seconds. In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and in addition there shall be sounded in the after part of the vessel, at intervals of not more than one minute for about 5 seconds, a gong or other instrument, the tone and sounding of which cannot be confused with that of the bell. Every vessel at anchor may in addition, in accordance with § 4.232 sound three blasts in succession, namely, one short, one prolonged, and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.

(e) *Vessel towing, not under command, etc.* A vessel when towing, a vessel engaged in laying or in picking up a submarine cable or navigation mark, and a vessel under way which is unable to get out of the way of an approaching vessel through being not under command or unable to maneuver as required by this subpart shall, instead of the signals prescribed in paragraphs (a), (b), and (c) of this section, sound, at intervals of not more than 1 minute, three blasts in succession, namely, one prolonged blast followed by two short blasts.

(f) *Vessel towed.* A vessel towed, or, if more than one vessel is towed, only the last vessel of the tow, if manned, shall, at intervals of not more than 1 minute, sound four blasts in succession, namely, one prolonged blast followed by three short blasts. When practicable this signal shall be made immediately after the signal made by the towing vessel.

(g) *Vessel aground.* A vessel aground shall give the signal prescribed in paragraph (d) of this section, and shall, in addition, give 3 separate and distinct strokes on the bell immediately before and after each such signal.

§ 4.252 *Same; seaplane on the water in fog, mist, etc.* A seaplane on the water shall not be obliged to give the signals mentioned in § 4.251 but if she does not, she shall make some other efficient sound signal at intervals of not more than 1 minute.

STEERING AND SAILING RULES

§ 4.260 *Steering and sailing rules; preliminary.* (a) In obeying and construing the provisions of these steering and sailing rules, any action taken should be positive, in ample time, and with due regard to the observance of good seamanship.

(b) Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

(c) Mariners should bear in mind that seaplanes in the act of landing or taking off, or operating under adverse weather conditions, may be unable to change their intended action at the last moment.

§ 4.261 *Same; sailing vessels approaching with risk of collision.* When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows:

(a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

(b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(c) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(d) When both are running free, with the wind on the same side, the vessel which is to the windward shall keep out of the way of the vessel which is to the leeward.

(e) A vessel which has the wind aft shall keep out of the way of the other vessel.

§ 4.262 *Same; two power-driven vessels or two motorboats meeting end-on.* When two power-driven vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other, and when two motorboats are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other. This section only applies to cases where such vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two such vessels which must, if both keep on their respective courses, pass clear of each other. The only cases to which it does apply are when each of two such vessels is end on, or nearly end on, to the other; in other words, to cases in which by day, each vessel sees the masts of the other in a line, or nearly in a line with her own; and by night, to cases in which each vessel is in such a position as to see both the sidelights of the other. It does not apply by day, to cases in which a vessel sees another ahead crossing her own course; or, by night, to cases where the red light of one vessel is opposed to the red light of the other or where the green light of one vessel is opposed to the green light of the other or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

§ 4.263 *Two power-driven vessels or two motorboats crossing with risk of collision.* When two power-driven vessels are crossing so as to involve risk of collision, the power-driven vessel which has the other on her starboard side shall keep out of the way of the other, and when two motorboats are crossing so as to involve risk of collision, the motorboat which has the other on her starboard side shall keep out of the way of the other: *Provided, however,* That a power-driven vessel or a motorboat entering the main channel of the Canal from either side shall not cross the bow of a vessel proceeding in either direction along the Canal axis and that it shall keep clear until the vessel in the Canal axis has passed.

§ 4.264 *Same, right-of-way for power-driven vessels, motorboats, and sailing vessels in certain cases.* When two vessels are proceeding in such directions as to involve risk of collision, except as provided in § 4.269, concerning overtaking vessels, one such vessel shall keep out of the way of the other as follows:

(a) A sailing vessel shall keep out of the way of a power-driven vessel.

(b) A motorboat shall keep out of the way of a power-driven vessel.

(c) A motorboat shall keep out of the way of a sailing vessel.

(See § 4.279 *Navigation by, or with respect to, seaplanes.*)

§ 4.265 *Same; vessels meeting in vicinity of obstructions.* When two power-driven vessels are meeting end on, or nearly end on, in the Canal in the vicinity of an obstruction, e. g., a dredge, drill barge, slide, etc., the vessel whose side of the Canal is clear shall have the right-of-way and the other vessel shall hold back and keep out of the way until the privileged vessel is clear.

§ 4.266 *Same; course and speed of favored vessel.* Where by any of the provisions in this subpart one of two vessels is to keep out of the way, the other shall keep her course and speed. When, from any cause, the latter vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision. The vessel having the right-of-way shall in no case take any action that would unnecessarily endanger the burdened vessel; shall give due regard to existing circumstances; and shall proceed with caution so long as danger of collision remains.

§ 4.267 *Same; burdened vessel not to cross ahead.* Every vessel which is directed by the provisions in this subpart to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

§ 4.268 *Same; speed of burdened vessel.* Every power-driven vessel or motorboat which is directed by the provisions in this subpart to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

§ 4.269 *Same; overtaking vessels.* (a) Notwithstanding anything contained in this subpart, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

(b) Every vessel coming up with another vessel from any direction more than 2 points (22½ degrees) abaft her beam, i. e., in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's sidelights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these sections, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(c) If the overtaking vessel cannot determine with certainty whether she is forward of or abaft this direction from the other vessel, she shall assume that she is an overtaking vessel and keep out of the way.

(d) When one power-driven vessel or motorboat is overtaking another power-driven vessel or motorboat, and the overtaking vessel shall desire to pass on the right or starboard of the vessel ahead, she shall give, as a signal of such desire, one short and distinct blast of her whistle, and if the overtaken vessel answers with one short blast, the overtaking vessel shall direct her course to starboard; or if the overtaking vessel shall desire to pass on the left or port side of the other vessel, she shall give as a signal of such desire, two short blasts of her whistle, and if the overtaken vessel answers with two short blasts, the overtaking vessel shall direct her course to port. However, if the overtaken vessel does not think it safe for the overtaking vessel to attempt to pass at that time, she shall immediately so signify by giving several short and rapid blasts of her whistle, not less than five, the danger signal, and under no circumstances shall the overtaking vessel attempt to pass until such time as they have reached a point where it can be done safely, and the overtaken vessel shall have signified her willingness by blowing the proper signal, two short blasts for the overtaking vessel to pass on the port side, one short blast to pass on the starboard side, which signal shall be answered with a similar signal by the overtaking vessel before passing. After an agreement has been reached the overtaken vessel shall in no case attempt to cross the bow or crowd upon the course of the overtaking vessel.

(e) Except as specially authorized by the Marine Director, an overtaking power-driven vessel shall not overtake and pass another power-driven vessel in the Canal except in Gatun Lake between Buoys 17 and 70: *Provided, however* That this paragraph shall not apply where either the overtaking or the overtaken vessel is a Panama Canal power-driven vessel or a U. S. Army or U. S. Navy Local tug, with or without a tow.

§ 4.270 *Same; in Canal channel.* In the Canal channel every power-driven vessel when proceeding along the line of the channel, shall keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel. When two such vessels so proceeding are bound in opposite directions, they shall, when it is safe and practicable, be governed by the meeting rule (§ 4.262), even when, by reason of an intervening

bend in the channel, their headings are not substantially opposite when they first sight each other; and neither of them shall alter course to port across the course of the other. Tugs and motorboats shall, whenever, practicable, keep well over to that side of the Canal which is to their starboard when large vessels are passing.

§ 4.271 *Same; passing Panama Canal floating equipment or vessels under repair* Panama Canal floating equipment at work in a stationary position shall have a prior right to such position, and no passing vessel shall foul such equipment or its moorings, or pass at such speed as to create a dangerous wash or wake. Floating equipment of the Canal from which divers are working, and floating equipment so moored, and vessels under repair and in such condition, that a high wash might cause swampage or be hazardous to the workmen, shall be passed by all vessels at a speed sufficiently slow as not to create a dangerous wash or wake.

§ 4.272 *Same; sound signals when vessels are in sight of one another* (a) When vessels are in sight of one another, a power-driven vessel or motorboat underway, in taking any course authorized or required by these provisions in this subpart, shall indicate that course by the following signals on her whistle, namely:

(1) One short blast to mean, "I am altering my course to starboard."

(2) Two short blasts to mean, "I am altering my course to port."

(3) Three short blasts to mean, "My engines are going astern."

(b) Whenever a power-driven vessel or motorboat which, under these provisions of this subpart, is to keep her course and speed, is in sight of another vessel and is in doubt whether sufficient action is being taken by the other vessel to avert collision, she may indicate such doubt by giving at least five short and rapid blasts on the whistle. The giving of such a signal shall not relieve a vessel of her obligations under §§ 4.283 and 4.303 or any other section in this subpart, or of her duty to indicate any action taken under these sections by giving the appropriate sound signals laid down in this section.

(c) Failure to give or receive any of the whistle signals required by this section shall not lessen the duty of both vessels to pass each other as herein prescribed, except when emergency action becomes necessary as provided in § 4.283.

§ 4.273 *Same; sound signals not to be used except as prescribed.* The one, two, and three short blast signals and the danger signal prescribed in § 4.272 for power-driven vessels and motorboats shall never be used except for the purposes indicated. The one, two, and three short blast signals are never to be used except when vessels are in sight of one another, and the course and position of each can be estimated in the day time from a sight of the vessel herself, or at night from her navigation lights.

§ 4.274 *Same; for power-driven vessel or motorboat rounding a bend.* Whenever a power-driven vessel or motorboat is nearing a bend in a channel where a vessel approaching from the other direction cannot be seen, such vessel, when she shall have arrived within one-half mile of the bend, shall give a signal by one prolonged blast of her whistle, which signal shall be answered by a similar blast given by any approaching vessel that may be within hearing around the bend. Regardless of whether an approaching vessel on the farther side of the bend is heard, such bend shall be rounded with alertness and caution.

§ 4.275 *Same; sound signal for power-driven vessel or motorboat leaving berth.* When a power-driven vessel or motorboat is moving from her dock or berth, she shall give a signal of one prolonged blast of the whistle; but immediately after clearing the dock or berth so as to be fully in sight she shall be governed by the steering and sailing rules.

§ 4.276 *Same; sound signals for passing through the gate in a pipe line.* When a power-driven vessel or motorboat is approaching a pipe line obstructing the channel, and desires to pass through the gate, she shall give a signal of two blasts, namely, one prolonged blast followed by a short blast, which signal shall be promptly answered by the gate tender with the same signal if she is ready to have the approaching vessel pass, or by the danger signal if it is not safe for her to pass. In no case shall the approaching vessel attempt to pass until the gate tender signifies by a signal of one prolonged and one short blast that the channel is open. The gate tender shall so signify as soon as practicable, and the approaching vessel shall answer with a similar signal.

§ 4.277 *Same; sound signals for passing floating equipment using maneuvering lines.* When a power-driven vessel or motorboat is approaching floating Canal equipment which has maneuvering lines obstructing the channel, and desires to pass, she shall give the appropriate signal comparable to the signals prescribed by § 4.272 for certain vessels in sight of one another, which the floating equipment, after promptly slacking her lines and complying with § 4.216 shall answer with a similar signal. If, for any reason, the floating equipment is unable to give such signal, she shall so signify by blowing the danger signal, and the approaching vessel shall not attempt to pass until the visual signal required by § 4.216 has been given, and the proper passing whistle signal has been given by the floating equipment. After receiving such signals, and after answering the passing signal, the approaching vessel may then proceed.

§ 4.278 *Same; unauthorized use of whistles prohibited.* The sounding of the steam whistle or siren except in the giving of any authorized or required signal is prohibited.

§ 4.279 *Navigation by, or with respect to, seaplanes.* (a) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. The following provisions shall be observed by all seaplanes operated on the water and by vessels with respect to such seaplanes when approaching so as to involve risk of collision:

(1) Crossing: The seaplane or vessel which has the other on the right shall give way so as to keep well clear.

(2) Approaching head-on: When two seaplanes, or a seaplane and a vessel approach head-on, or approximately so, each shall alter her course to the right so as to keep well clear.

(3) Overtaking: The seaplane or vessel which is being overtaken has the right-of-way, and the one overtaking shall alter her course so as to keep well clear.

(c) When two seaplanes, or a seaplane and a vessel are approaching each other so as to involve risk of collision, each shall proceed with careful regard to existing circumstances and conditions, including the limitations of the respective craft.

§ 4.280 *Same; speed and maneuvering of vessels in fog, mist, etc.* (a) Every vessel or seaplane when taxiing on the water, shall in fog, mist, heavy rain storms, or any other conditions similarly restricting visibility, go at a moderate speed, having careful regard to the existing circumstances and conditions.

(b) A power-driven vessel hearing, apparently forward of her beam, the fog signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

(c) When two vessels are meeting each other in a Canal channel less than 800 feet wide, they shall, when about a mile apart, reduce speed, if practicable, and then proceed cautiously until they have passed clear.

(d) A vessel moored or at anchor shall not get underway when, because of atmospheric conditions, visibility is less than 1,000 feet. A vessel already underway under such conditions shall anchor or moor as soon as practicable, and shall report immediately to the Port Captain by radio or other available means.

§ 4.281 *Same; authority to prescribe maximum speed limits.* The Governor is hereby given continuing authority to prescribe maximum speed limits for navigation in Canal Zone waters. Unless and until otherwise prescribed by the Governor under this authority, the maximum speed limits shall be as prescribed in § 4.282.

§ 4.282 *Same; maximum speed of vessels.* Vessels in Canal Zone waters shall not exceed the speeds designated below except in an emergency:

| | *Knots* |
|---|---|
| Atlantic entrance to Gatun Locks | 10 |
| Gatun Lake in the 1,000-foot channels | 15 |
| Gatun Lake in the 800-foot channels | 12 |
| Gatun Lake in the 500-foot channels | 10 |
| Rounding Bohio and Darien Bend | 10 |
| Gaillard Cut (in the straight reaches) | |
| Vessels under 250 feet in length | 8 |
| Vessels 250 feet or over in length (or as near 6 knots as possible while maintaining steerage way) | 6 |
| In or near locks (except in an emergency) | 3 |
| Miraflores Locks to Buoy No. 14 | 6 |
| Buoy No. 14 to Pacific Entrance | 10 |

| | Knots |
|---|---|
| Miraflores Lake: | |
| Vessels under 300 feet in length | 6 |
| Vessels 300 feet or over in length shall proceed as slowly as possible consistent with maneuverability. | |
| Gamboa: Passing Reserve Fleet Basin; Concrete Dock and Floating Crane berth | 6 |
| Gatun Lake: Gatun Reach northbound. All vesesls shall be down to 10 knots when rounding Buoy No. 17 | 10 |

§ 4.283 *Same; departure from these provisions authorized in special circumstances.* In obeying and construing the provisions of this subpart due regard shall be had to all dangers of navigation and collision, and to any special circumstances, including the limitations of the craft involved, which may render a departure from any of such provisions necessary in order to avoid immediate danger.

MISCELLANEOUS

§ 4.300 *Distress signals.* When a vessel or seaplane on the water is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely:

(a) A gun or other explosive signal fired at intervals of about a minute.

(b) A continuous sounding with any fog-signal apparatus.

(c) Rockets or shells, throwing red stars fired one at a time at short intervals.

(d) A signal made by radiotelegraphy or by any other signalling methods consisting of the group ———• • in the Morse Code.

(e) A signal sent by radio telephony consisting of the spoken word "Mayday."

(f) The international Code Signal of distress indicated by N. C.

(g) A signal consisting of a square flag having above or below it a ball or anything resembling a ball.

(h) Flames on the vessel (as from a burning tar barrel, oil barrel, etc.)

(i) A rocket parachute flare showing a red light.

The use of any of the above signals, except for the purpose of indicating that a vessel or a seaplane is in distress, and the use of any signals which may be confused with any of the above signals, is prohibited.

§ 4.301 *Orders to helmsman.* All orders to helmsmen shall be given in the following sense: right rudder or starboard to mean "put the vessel's rudder to starboard"; left rudder or port to mean "put the vessel's rudder to port."

§ 4.302 *Discovery of defect in vessel during transit.* Upon the discovery during transit of the Canal of any defect in a vessel of such serious nature that it might interfere with further passage, the vessel shall stop and, if practicable, be anchored or moored at the first available place. A full report shall be made immediately to the Port Captain by radio or by the best means available.

§ 4.303 *Precautions required by ordinary practice of seamen or by special circumstances.* Nothing in this chapter shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

5. The provisions of this order shall become effective on February 1, 1953.

FRANK PACE, Jr.,
*Secretary of the Army.*

[F. R. Doc. 53-292; Filed, Jan. 13, 1953; 8:45 a. m.]

# PROPOSED RULE MAKING

## DEPARTMENT OF THE TREASURY

### Bureau of Internal Revenue

### [ 26 CFR Part 29 ]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

REPORTING OF INTEREST PAYMENTS

Pursuant to the Administrative Procedure Act, approved June 11, 1946, a proposed revision of Regulations 111 regarding the reporting of interest payments was published in tentative form as a notice of proposed rule making published in the FEDERAL REGISTER for September 5, 1952 (17 F. R. 8048). The proposed revision of the regulations was to have been issued under the authority contained in sections 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U. S. C. 62, 3791).

After consideration of all relevant matter presented by interested persons with respect to the proposed revision, notice is hereby given that such proposal to revise the regulations is withdrawn.

[SEAL] JOHN S. GRAHAM,
*Acting Commissioner of Internal Revenue.*

[F. R. Doc. 53-307; Filed Jan. 13, 1953; 8:48 a. m.]

# NOTICES

## SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-173, 54-191]

STANDARD GAS AND ELECTRIC CO. AND PHILADELPHIA CO.

NOTICE OF FILING OF AMENDMENTS TO PLAN AND ORDER FOR HEARING THEREON AND ORDER POSTPONING HEARING

JANUARY 8, 1953.

In the matters of Standard Gas and Electric Company and Philadelphia Company, File No. 54-191, Philadelphia Company and Standard Gas and Electric Company, File No. 54-173.

I. Standard Gas and Electric Company ("Standard") a registered holding company and a subsidiary of Standard Power and Light Corporation ("Power"), also a registered holding company, filed a plan dated February 8, 1951 ("Standard plan"), pursuant to section 11 (e) of the act, for compliance with section 11 of the act by Standard and Philadelphia Company ("Philadelphia") a registered holding company and a subsidiary of Standard (File No. 54-191). Steps I and I-A of said Standard plan have been consummated and, in connection therewith, the Commission, on October 1, 1952, entered its Findings and Opinion (Holding Company Act Release No. 11510) with respect to such steps which provided, respectively, for the retirement of Standard's Prior Preference Stock and the settlement of intercompany claims between Standard and Power. Hearings have been held and the record closed on Step II of the Standard plan, providing for the retirement of Standard's $4 Cumulative Preferred Stock, except with respect to the issue as to the fairness of the proposal contained in said Step II to treat Power's and Standard's holdings of Philadelphia common stock on the same basis as the holdings of public common stockholders of Philadelphia in a proposed distribution by Philadelphia to its common stockholders, as a partial liquidating dividend, of a portion of the common stock of Duquesne Light Company ("Duquesne") a public utility subsidiary of Philadelphia.

Standard also heretofore filed a plan ("Philadelphia plan") under section 11 (e) of the act for the simplification of the corporate structure of the Philadelphia system (File No. 54-173) Steps 1 through 4 of said Philadelphia plan have been consummated, pursuant to which, among other things, Philadelphia retired all its preferred stocks except its $5 Cumulative Preference Stock and in connection with said Step 4 the Commission, on April 7, 1952, entered its findings and opinion (Holding Company Act Release No. 11155). On December

31, 1952, the Commission entered its findings and opinion (Holding Company Act Release No. 11650) on Step 5 of said Philadelphia plan providing for the retirement of Philadelphia's $5 Cumulative Preference Stock and the Commission has made application to the United States District Court for the Western District of Pennsylvania for an order enforcing said Step 5. That Court has ordered a hearing to be held on January 30, 1953, to consider the Commission's application. The Commission heretofore consolidated the proceedings on the Standard plan and the Philadelphia plan (Holding Company Act Release No. 11497) and a consolidated hearing has been held on the issues presented in Step 5 of the Philadelphia plan and Step II of the Standard plan. The consolidated hearing has been closed except as to the issue concerned with the respective participations to be accorded to Power, Standard, and the public as common stockholders of Philadelphia in the latter's proposed partial liquidating dividend and the hearing on that issue has been scheduled for January 14, 1953.

Notice is hereby given that further amendments, dated December 31, 1952, have been filed by Standard supplementing the Standard plan by the addition thereto of Steps II–A and II–B. The filing states that the provisions of Step II–A represent an agreement reached, after extended discussions, between representatives of Standard and its stockholders and representatives of the publicly held common stock of Philadelphia. The latter representatives had, shortly after the filing of the Standard plan in 1951, filed a petition alleging certain acts of mismanagement of Philadelphia on the part of Standard and requesting the Commission to undertake an investigation of the relationships between the two companies. All interested persons are referred to said amendments, which are on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized hereinafter.

II. The assets of Standard now consist of (i) 5,030,690 shares of common stock of Philadelphia, (ii) 21,607 shares of common stock of Duquesne; and (iii) other miscellaneous security holdings, all as more fully described in Holding Company Act Release No. 11497. Its remaining outstanding securities consist of 757,242 shares of $4 Cumulative Preferred Stock ("$4 Preferred Stock") and 2,162,607 shares of common stock.

Upon consummation of Step 5 of the Philadelphia plan, Philadelphia's principal assets will consist of 547,678 shares or 50.9 percent of the outstanding capital stock of Pittsburgh Railways Company and 4,517,904 shares or 75.3 percent of the outstanding common stock of Duquesne; and its outstanding securities as of December 31, 1952, will consist of $657,825 of Mortgage Bonds Assumed, $11,000,000 of bank loan notes due August 23, 1953, and common stock. Philadelphia also has an open account payable to Standard in the amount of $2,500,000. Of Philadelphia's 5,190,852 11/12 outstanding shares of common stock and scrip, Standard owns 5,030,690 shares or 96.9 percent, Power owns 9,750 shares or .2 percent and the public owns 150,412 11/12 shares or 2.9 percent.

Step II of the Standard plan proposes the retirement of the $4 Preferred Stock of Standard by the distribution for each such share of 4 shares of common stock of Duquesne, or an aggregate of 3,028,968 shares. Steps II–A and II–B of the Standard plan propose alternative means of furnishing to Standard the shares of Duquesne common stock required for Step II and, in addition, Step II–A proposes the retirement of the common stock of Philadelphia owned by public holders. No provision is made under Step II–A for the retirement of the common stock of Philadelphia held by Power for the stated reason that it is expected that such shares will be acquired by Standard prior to consummation of Step II–A or Step II–B.

If the method proposed in Step II–A is pursued, Philadelphia will distribute to Standard, as a partial liquidating dividend, .6 of a share of Duquesne common stock for each share of common stock of Philadelphia held by Standard, thus placing Standard, on the basis of its present holdings of Philadelphia and Duquesne common stocks, in possession of a total of 3,040,021 shares of Duquesne common stock. Simultaneously with or immediately prior to the proposed distribution of Duquesne common stock to Standard under Step II–A, the common stock of Philadelphia held by the public will be retired by the exchange therefor of .885 share of Duquesne common stock for each share of Philadelphia common stock, if such retirement can be effected without delaying consummation of Step II. However, if the method proposed in Step II–A would result in delay in consummating Step II, the method proposed in Step II–B will be pursued, pursuant to which Philadelphia will distribute to its public stockholders as well as to Standard and/or Power .6 of a share of Duquesne common stock for each share of Philadelphia common stock outstanding; or an aggregate of 3,114,512 shares. In the event that Step II–B is pursued and .6 of a share of Duquesne common stock shall have been distributed for each share of Philadelphia common stock held by the public, Standard and/or Power, the basis for retirement of the publicly held common stock of Philadelphia under Step II–A shall be reduced by such .6 of a share, or to .285 of a share of Duquesne common stock.

The proposed allocation of 0.885 share of Duquesne common stock in retirement of each publicly held share of common stock of Philadelphia is in addition to the 0.2 of a share of Duquesne common stock previously distributed for each outstanding share of Philadelphia common stock in partial liquidation of Philadelphia which the Commission authorized on July 24, 1952 (Holding Company Act Release No. 11140)

On the effective date of the exchange under Step II–A the Duquesne common stock to be distributed in retirement of the publicly held common stock of Philadelphia will be deposited with an exchange agent and thereupon Philadelphia will cease to have any rights with respect to such common stock of Duquesne and the public holders of the common stock of Philadelphia shall cease to have any rights as stockholders of Philadelphia except that they shall be entitled to receive their pro rata distribution of the Duquesne common stock and any cash to which they are entitled upon surrender of their certificates for common stock of Philadelphia.

No stock certificates for fractional shares of common stock of Duquesne will be issued but in lieu thereof the exchange agent will issue scrip certificates which when combined in lots representing one or more full shares may be exchanged for full shares within a period of twelve months after the effective date of the exchange. Arrangements will be made so that during such twelve month period holders of scrip certificates may sell the same or purchase additional scrip without the payment of any commission. The holders of scrip certificates will not be entitled to the rights of stockholders unless and until the scrip is exchanged for full share certificates within such twelve-month period. Upon the expiration of such twelve-month period, the exchange agent shall convert into cash all shares of Duquesne common stock held by it in respect of scrip certificates for such stock and hold such cash together with any cash received as dividends on such shares during the twelve-month period for distribution to the holders of unexchanged scrip certificates who shall thereafter surrender their certificates for exchange. On the expiration of five years from the effective date of the exchange, the scrip certificates then outstanding shall become void and of no value.

Upon surrender of certificates for Philadelphia common stock to the exchange agent, the holders thereof will be entitled to receive from the exchange agent an amount equal to all dividends (less the amount of taxes, if any, which may be imposed or paid thereof) paid to the exchange agent in respect of the shares of Duquesne common stock to which such holders are entitled.

Upon the expiration of five years from the effective date of the exchange, the certificates for common stock of Philadelphia shall become void and of no value and the holders who have not theretofore surrendered their certificates shall cease to be entitled to make the exchange. All certificates for Duquesne common stock and all cash held by the exchange agent at the end of such five-year period shall be turned over by the exchange agent to Duquesne and such stock certificates shall be held as treasury shares and sold as a part of the first public offering thereafter by Duquesne of common stock.

During the five-year period in which exchanges may be made pursuant to Step II–A, Standard undertakes to give notice to the public holders of common stock of Philidadelphia of their distribution rights, to use reasonable efforts to locate any missing holders of such stock and periodically to notify the Commission of the results of those efforts.

Step II–B contains provisions with respect to the rights of stockholders, scrip for fractional shares of Duquesne common stock, the duties and functions of

the distribution and scrip agent, and search for missing stockholders, which provisions are substantially similar to the provisions contained in Step II–A, as hereinbefore described.

Standard represents that the consummation of any of the transactions proposed in Steps II–A or II–B will not be urged or relied upon as having any effect on the participation to be accorded holders of Philadelphia's $5 Cumulative Preference Stock or of any other securities ranking senior to its common stock in connection with the reorganization of Philadelphia pursuant to section 11 of the act.

Standard proposes to request the Commission, pursuant to section 11 (e) of the act, to apply to a United States District Court to enforce and carry out the provisions of Step II–A and it may request such action by the Commission with respect to Step II–B.

III. The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find, after notice and opportunity for hearing, that the plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11 and is fair and equitable to the persons affected thereby and it appearing appropriate to the Commission that notice be given and a hearing be held on Steps II–A and II–B of the Standard plan to afford all interested persons an opportunity to be heard with respect thereto and that the hearing on Step II of the Standard plan heretofore scheduled to be reconvened on January 14, 1953, be postponed to the time and place hereinafter specified:

*It is ordered,* That a hearing on Steps II–A and II–B of the Standard plan, pursuant to the applicable provisions of the act and rules and regulations thereunder, be held, before William W Swift, Hearing Examiner, on January 28, 1953, at 2:00 p. m., at the offices of this Commission, 425 Second Street NW., Washington 25, D. C. On that date the hearing room clerk in Room 193 will advise as to the room in which the hearing will be held. Any person not having heretofore appeared in the proceedings at File Nos. 54–173 and 54–191 and desiring to be heard in connection with Steps II–A and II–B of the Standard plan or proposing to intervene herein shall file with the Secretary of the Commission on or before January 23, 1953, his written request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

*It is further ordered,* That the hearing previously scheduled to be held on January 14, 1953, with respect to Step II of the Standard plan be postponed to the time and place designated hereinbefore.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of Steps II–A and II–B and that, on the basis thereof, the following matters and questions are presented for consideration by the Commission without prejudice to the presentation of additional matters and questions upon further examination:

1. Whether Steps II–A and II–B, as submitted or as modified, are necessary to effectuate the provisions of section 11 (b) of the act;

2. Whether Steps II–A and II–B, as submitted or as modified, are fair and equitable to the persons affected thereby in view, among other things, of (a) the past relationships between Philadelphia and Standard and (b) the absence of any provision for dividend adjustments for the public holders of Philadelphia's common stock in the event there should be any material delay in the retirement of their stock.

3. Generally, whether the transactions proposed in Steps II–A and II–B are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and of the rules and regulations thereunder, and whether any terms and conditions should be prescribed;

*It is further ordered,* That particular attention be directed at said hearing to the foregoing matters and questions.

*It is further ordered,* That the Secretary of the Commission shall serve a copy of this notice and order by registered mail on Power Standard; Philadelphia; Duquesne; Mellon National Bank and Trust Company of Pittsburgh, Pa., The Chase National Bank of the City of New York, N. Y., Continental Illinois National Bank and Trust Company of Chicago, Illinois; Harris Trust and Savings Bank, Chicago, Illinois; Alfred Berman, Esq., Leo B. Mittelman, Esq., Lewis Schimberg, Esq., William L. Fox, Esq., James E. Riely, Esq., A. Albert Minton, Esq., Carlos L. Israels, Esq., A. Grant Campbell, Esq., the Pennsylvania Public Utility Commission and the City of Pittsburg, Pa., and that further notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to persons on the mailing list for releases under the act and by publication of this notice and order in the FEDERAL REGISTER.

*It is further ordered,* That Philadelphia shall give notice of the hearing on Steps II–A and II–B of the Standard plan to the holders of the common stock of Philadelphia (insofar as the identity of such holders is known or available to it) by mailing to each of said persons a copy of this notice and order to his last known mailing address at least 15 days prior to the date of said hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-305; Filed, Jan. 13, 1953; 8:47 a. m.]

[File No. 70-2363]

## OHIO EDISON CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER RESULTS OF COMPETITIVE BIDDING FOR UNDERWRITING COMMON STOCK RIGHTS OFFERING AND OVER SUBSCRIPTION PRICE FOR COMMON STOCK

JANUARY 8, 1953.

Ohio Edison Company ("Ohio Edison") a registered holding company and a public utility company, having filed an application-declaration, and amendments thereto pursuant to the act, proposing, among other things, to offer to its stockholders rights to subscribe for the purchase of 479,846 shares of its common stock, par value $12 per share, on the basis of one additional share for each 10 shares of common stock now held and the privilege, subject to allotment, of oversubscribing at the subscription price and also proposing to offer such shares as are not subscribed for by its stockholders to underwriters, pursuant to the competitive bidding requirements of Rule U-50, at the subscription price to be determined by Ohio Edison, the underwriters' bids to specify an aggregate amount of compensation to be paid for their commitments; and

Ohio Edison having further proposed the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50, of 150,000 shares of a new series of preferred stock; and

The Commission by order dated December 30, 1952, having granted and permitted to become effective said application-declaration, as amended, except that the proposed issuance and sale of the common and preferred stocks were not to be consummated until the results of the competitive bidding, pursuant to Rule U-50, and the proposed subscription price for the common stock, have been made a matter of record in this proceeding and a further order issued, for which purpose jurisdiction was expressly reserved; and

Jurisdiction also having been reserved with respect to the reasonableness of the fees and expenses incurred or to be incurred in connection with the proposed transactions; and

Ohio Edison on January 8, 1953, having filed a further amendment to said application-declaration in which it is stated that Ohio Edison has designated a subscription price of $35.25 per share for the additional shares of its common stock, has invited bids, pursuant to Rule U-50, with respect to the compensation to be paid the underwriters for purchasing at the subscription price the common stock not taken by subscription or oversubscription, and has received the following bids:

| Bidding group headed by— | Amount of compensation | | Aggregate net proceeds to company [1] |
|---|---|---|---|
| | Per share | Aggregate | |
| Morgan Stanley & Co. | $0.227 | $108,924.00 | $16,895,047.50 |
| Lehman Bros. and Bear, Sterns & Co. | .220 | 110,500.00 | 16,804,675.50 |
| The First Boston Corp. | .244 | 117,052.22 | 16,797,009.23 |
| Merrill Lynch, Pierce, Fenner & Beane and Kidder, Peabody & Co. | .279 | 133,920.00 | 16,780,531.50 |

[1] After deducting amount of compensation bid only.

The amendment having further stated that Ohio Edison has accepted the bid of Morgan Stanley & Co., as set forth above; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said common stock or the compensation to be paid the underwriters of the common stock offering:

*It is ordered*, That the application-declaration, as further amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the condition that the reservation of jurisdiction with respect to the issuance and sale of the preferred stock and with respect to the fees and expenses, be, and the same hereby is, continued, and subject, further, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 53-304; Filed, Jan. 13, 1953; 8:47 a.m.]

---

[File No. 70-2973]

ELECTRIC ENERGY, INC., ET AL.

NOTICE OF PROPOSED ISSUANCE AND SALE BY SUBSIDIARY OF COMMON STOCK TO PARENTS, OF A SHORT TERM BANK LOAN, AND OF PRIVATE SALE OF BONDS TO FINANCE EXPANSION OF FACILITIES SERVING AN ATOMIC ENERGY PROJECT

JANUARY 8, 1953.

In the matter of Electric Energy, Inc., Middle South Utilities, Inc., Union Electric Company of Missouri, Illinois Power Company Kentucky Utilities Company; File No. 70-2973.

Notice is hereby given that a joint application-declaration has been filed with this Commission by Middle South Utilities, Inc. ("Middle South") a registered holding company Union Electric Company of Missouri ("Union") a registered holding company and a public utility company, Illinois Power Company ("Illinois") and Kentucky Utilities Company ("Kentucky") both public utility companies and registered holding companies which are exempt as holding companies from the provisions of the act, and by Electric Energy, Inc. ("Electric Energy"), a public utility subsidiary of the foregoing companies. Electric Energy is also a subsidiary of Central Illinois Public Service Company ("Central") which is exempt under section 2 (a) (7) of the act from the provisions thereof applicable to holding companies. Applicants-declarants have designated sections 6, 7, 9, 10 and 12 (b) of the act and Rule U-45 thereunder as applicable to the proposed transactions which are summarized as follows:

Electric Energy is engaged in the construction of a 4 unit electric generating station and related transmission facilities at Joppa, Illinois (herein called the "original facilities") which are being built for the purpose of supplying up to 500,000 kw of firm power to an atomic energy project being constructed by the Atomic Energy Commission ("A. E. C.") at Paducah, Kentucky. Construction of the original facilities is expected to be completed during the latter half of 1953.

The financing of the cost of the original facilities, then estimated by the companies at a maximum of $100,000,000, and the working capital requirements of Electric Energy, estimated by the companies at $3,500,000, has been the subject of previous orders of the Commission. By order dated January 15, 1951, (Holding Company Act Release No. 10340) the Commission permitted the issuance and sale by Electric Energy to its parent companies, in the following percentage amounts respectively (herein called the "proprietary ratios") of $3,500,000 aggregate par value of common stock: Union, 40 percent; Central, 20 percent; Illinois, 20 percent; Kentucky, 10 percent; and Middle South, 10 percent. To the extent subject to the requirements of the act, the acquisition by the parent companies of such common stock was permitted on an interim basis pending definitive determination by the Commission of the statutory issues involved. By order dated June 26, 1951, (Holding Company Act Release No. 10639) the Commission also permitted the issuance and sale by Electric Energy, from time to time prior to December 31, 1953, to two insurance companies, of a maximum of $100,000,000 principal amount of its 3 percent First Mortgage Sinking Fund Bonds.

The application-declaration states that the A. E. C. intends to expand its Paducah project and will require additional firm power, and that it has entered into an Interim Agreement with Electric Energy embodying a proposal of Electric Energy to supply 235,000 kw. by the construction of two additional generating units and related transmission facilities (herein called the "additional facilities") Such additional facilities are presently estimated to cost $52,000,000 plus $1,400,000 of working capital. The estimated cost of the original facilities is stated to have increased from $100,000,000 to $103,300,000.

For the stated purpose of supplying its increased cash requirements, totalling $56,700,000, and ensuring completion of the facilities in the event of rising costs, Electric Energy proposes (i) to issue, pursuant to a supplement to its indenture securing the 3 percent bonds, and sell to the two insurance companies which are the purchasers of such 3 percent bonds a maximum of $65,000,000 principal amount of its 3¾ percent First Mortgage Sinking Fund Bonds; (ii) to issue and sell, at par, an aggregate of $2,700,000 par value of additional common stock to its parent companies in the proprietary ratios; and (iii) to issue and sell from time to time to a commercial bank a maximum of $2,000,000 principal amount of its 3 percent promissory notes due August 3, 1953.

The Interim Agreement provides, inter alia, that Electric Energy will forthwith commence construction and place necessary orders for the additional facilities. The Interim Agreement is to be supplanted by an Amended Power Contract when and if the A. E. C. has, not later than August 1, 1953, secured Congressional consent to execute such a contract. In the event the Amended Power Contract is not executed, the Interim Agreement provides for the reimbursement of Electric Energy by the A. E. C. of up to $7,500,000 for net expenditures.

Electric Energy and its parent companies have entered into a Subscription Agreement which provides that upon the execution of the Amended Power Contract the parent companies will purchase the $2,700,000 par value of additional common stock. Under a bank loan agreement, pursuant to which Electric Energy will sell its 3 percent promissory notes, the proceeds of the sale of the additional common stock will be applied, to the extent required, to the repayment of all of said notes. The bank loan agreement also provides for a commitment fee of ¼ percent per annum on any unused portion of the commitment and will be secured by pledge of the Interim Agreement and the Subscription Agreement.

The Amended Power Contract will provide, among other things, for the construction of the additional facilities and for the sale to the A. E. C. of 735,000 kw of firm power from the date of the completion of the additional facilities until 25 years after the execution of said contract. The contract will be terminable by the A. E. C., in whole or in specified parts, at any time prior to or after completion of all facilities. In the latter event, cancellation may be made (i) as to the whole of the original 500,000 kw, upon payment by the A. E. C. of an amount equal to 28 percent of the cost of the original facilities less a credit for the amount of long term indebtedness retired prior to termination; or (ii) as to the whole of the additional 235,000 kw, upon payment, if the cancellation occurs in the first year of full scale operations, of 25 percent of the then outstanding additional bonds issued in financing the additional facilities less a credit for the amount of said bonds retired to the date of termination. Said 25 percent is reduced by one percent for each year ensuing between the commencement of full scale operations and the termination date. Cancellation as to part of the 235,000 kw is permitted and proportionately reduced termination payments are provided. The contract provides that the annual net earnings of Electric Energy shall be limited to approximately 8 percent on its equity capital plus a like percentage on such amounts of earned surplus as shall be mutually agreed upon.

Electric Energy has entered into an agreement with the insurance companies conditioned upon the execution of the Amended Power Contract under which the insurance companies will purchase said bonds from time to time on or before March 31, 1956. Electric Energy will pay a commitment fee of ½ percent per year, commencing October 15, 1952, on any unused portion of the commitment, and will have the right to release the commitment to the extent it may desire from time to time.

The mortgage, as it will be supplemented, will secure both the 3 percent and 3¾ percent bonds with a first lien on substantially all of Electric Energy's

properties. It will provide for separate 25 year sinking funds applicable to the 3 percent and 3¾ percent bonds which sinking funds are designed to retire all of the bonds by their maturity. The sinking fund payments on the 3 percent bonds will commence not later than June 1, 1955, and the payments on the 3¾ percent bonds will commence not later than June 1, 1957.

The supplemented mortgage will further provide that if, after all of the facilities of Electric Energy are completed, the A. E. C. shall cancel the Amended Power Contract as to the additional 235,000 kw, or any part thereof, Electric Energy will apply the termination payment to the redemption of 3¾ percent bonds and prepay all, or a proportionate part as the case may be, of the next sinking payment; and that if the A. E. C. shall cancel as to the original 500,000 kw, then Electric Energy shall (i) apply any termination payment to the redemption of 3 percent bonds and (ii) redeem such further amount of 3 percent bonds as is necessary to reduce the ratio of all bonds issued against the cost of the original facilities (including up to $4,000,000 principal amount of 3¾ percent bonds which will be permitted to be so issued) to not more than 80 percent of the cost of the original facilities less 2½ percent straight line depreciation. In lieu of redeeming the further amount of 3 percent bonds the parent companies may guarantee payment of a fractional portion of each bond thereafter to be outstanding, which portion shall be equal to the ratio of the principal amount of bonds required to be redeemed as set forth in (ii) immediately above to the total principal amount of all bonds thereafter to be outstanding. There will be pledged under the mortgage, among other things, the Amended Power Contract and an Amended Intercompany Agreement which is described below.

The Amended Intercompany Agreement among the trustee under the mortgage, Electric Energy, and its parent companies provides, among other things, that the parent companies will purchase any power not taken by the A. E. C. and will pay therefor a sum sufficient, when added to Electric Energy's other revenues, including the amounts received from the A. E. C., to pay all operating and corporate expenses of Electric Energy, including interest charges and sinking fund payments on its bonds. The parent companies also agree to supply or cause to be supplied to Electric Energy sufficient funds, not otherwise available, to complete its facilities, unless the Amended Power Contract is cancelled as to the original 500,000 kw and Electric Energy elects not to complete its facilities. It is also provided that in the event that Electric Energy is required to redeem bonds as set forth above, the parent companies will supply, or cause to be supplied, such funds not otherwise available to Electric Energy as may be required for such purpose. The obligations of the parent companies under the agreement are several and not joint.

The percentage of the total obligations of all parent companies for which each parent company is responsible is set forth in Column I of the following table and is the same as the proprietary ratios; however, if the Amended Power Contract should be terminated and if one or more parent companies should default in its or their obligations to take and pay for power, the percentages applicable to this particular obligation of the remaining parent companies may be increased proportionately up to the percentages set forth in Column II.

| | Column I | Column II |
|---|---|---|
| | *Percent* | *Percent* |
| Union | 40 | 43.6 |
| Central | 23 | 23.4 |
| Illinois | 23 | 23.4 |
| Kentucky | 10 | 11.7 |
| Middle South | 10 | 11.7 |

Electric Energy requests that the Commission exempt the proposed issuance and sale of bonds from the competitive bidding requirements of Rule U-50.

The proposed issuance and sale of additional common stock and 3¾ percent bonds will be submitted to the Illinois Commerce Commission for its approval.

Notice is further given that any interested person may, not later than January 23, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 53-306; Filed, Jan. 13, 1953; 8:47 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

GIUSEPPE BORGARELLO ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Property, and Location*

Giuseppe Borgarello, Genoa, Italy; Enrico Borgarello, Turin, Italy; Guido Borgarello, Cape Cod, Massachusetts; Claim No. 39760; $20.00 in the Treasury of the United States and stock of the De Nobili Cigar Company, a New York corporation, consisting of 10 shares, common capital stock, par value $50 per share. Certificate No. 203, presently in custody of Safekeeping Department, Federal Reserve Bank of New York, at New York City; to Giuseppe Borgarella, Enrico Borgarello and Guido Borgarello.

Executed at Washington, D. C., on January 7, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
*Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 53-303; Filed, Jan. 13, 1953; 8:46 a. m.]

## FEDERAL POWER COMMISSION

[Project No. 2035]

WASHINGTON WATER POWER CO.

NOTICE OF ORDER EXTENDING TIME FOR COMPLETION OF CONSTRUCTION OF INITIAL INSTALLATION

JANUARY 8, 1953.

Notice is hereby given that on January 7, 1953, the Federal Power Commission issued its order entered January 6, 1953, in the above-entitled matter, extending time for completion of construction of initial installation from December 31, 1952 to February 28, 1953.

[SEAL] J. H. GUTRIDE,
*Acting Secretary.*

[F. R. Doc. 53-302; Filed, Jan. 13, 1953; 8:46 a. m.]

[Docket Nos. E-6439, E-6443]

CITIZENS UTILITIES CO.

NOTICE OF ORDERS AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO CANADA, AND RELEASING PRESIDENTIAL PERMITS

JANUARY 8, 1953.

Notice is hereby given that on January 8, 1953, the Federal Power Commission issued its orders entered January 6, 1953, in the above-entitled matters, authorizing transmission of electric energy to Canada, and releasing Presidential Permits in Docket Nos. E-6440 and E-6444, respectively.

[SEAL] J. H. GUTRIDE,
*Acting Secretary.*

[F. R. Doc. 53-300; Filed, Jan. 13, 1953; 8:46 a. m.]

[Docket No. G-1757]

NATURAL GAS STORAGE CO. OF ILLINOIS

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 8, 1953.

Notice is hereby given that on January 8, 1953, the Federal Power Commission issued its order entered January 7, 1953, in the above-entitled matter, modifying order accompanying Opinion No. 236 (17 F. R. 8401) issuing certificate of public convenience and necessity so as to authorize Natural Gas Storage Com-

pany of Illinois to operate the facilities heretofore authorized for the underground storage of natural gas for the utility customers of Natural Gas Pipeline Company of America and Texas Illinois Natural Gas Pipeline Company.

[SEAL] J. H. GUTRIDE,
*Acting Secretary.*

[F. R. Doc. 53-301; Filed, Jan. 13, 1953; 8:46 a. m.]

## ECONOMIC STABILIZATION AGENCY

### Office of Price Stabilization

[Region I, Redelegation of Authority No. 24, Revision 1]

DIRECTORS OF THE DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, Region I, and pursuant to Delegation of Authority 43, Revision 1 (17 F R. 11251) this Revision 1 to Redelegation of Authority No. 24 (17 F R. 456) is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I, to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office.

This Revision 1 of Redelegation of Authority No. 24 shall take effect as of December 24, 1952.

JOHN A. FOX,
*Acting Regional Director, Region I.*

JANUARY 9, 1953.

[F. R. Doc. 53-310; Filed, Jan. 9, 1953; 4:49 p. m.]

---

[Region I, Redelegation of Authority No. 36, Revision 1]

DIRECTORS OF THE DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. I, and pursuant to Delegation of Authority 11, Revision 2 (17 F R. 10911) this Revision 1 to Redelegation of Authority No. 36 (17 F R. 3562) is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I, to take any action provided for by Distribution Regulation 1, Revision 1, with respect to Class 2 or Class 2A slaughterers.

2. This Redelegation of Authority 36, Revision 1, supersedes Redelegation of Authority No. 36, issued April 4, 1952, and all amendments thereto.

3. This redelegation of authority shall take effect as of December 22, 1952.

JOHN A. FOX,
*Acting Regional Director Region I.*

JANUARY 9, 1953.

[F. R. Doc. 53-311; Filed, Jan. 9, 1953; 4:49 p. m.]

---

[Region I, Redelegation of Authority No. 52, Revision 1]

DIRECTORS OF THE DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, Region I, and pursuant to Delegation of Authority 76, Revision 1 (17 F R. 11252) this Revision 1 to Redelegation of Authority No. 52 (17 F R. 10420) is hereby issued.

1. *Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I.

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

1. Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or

2. Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

3. Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National Office.

This Revision 1 of Redelegation of Authority No. 52 shall take effect as of December 24, 1952.

JOHN A. FOX,
*Acting Regional Director, Region I.*

JANUARY 9, 1953.

[F. R. Doc. 53-312; Filed, Jan. 9, 1953; 4:50 p. m.]

---

[Region I, Redelegation of Authority No. 55]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 2 AND 3 OF GOR 25

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 78 (17 F R. 10088) this redelegation of authority is hereby issued.

1. *Authority to act under sections 2 and 3 of GOR 25.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I.

(a) To disapprove or reduce under section 2 any ceiling price proposed, reported, or established under any ceiling price regulation, in connection with which the District Director is authorized to act on an individual price determination or authorization, so as to bring it in line with the level of ceiling prices otherwise established by that ceiling price regulation;

(b) To issue an order, under section 3 of GOR 25, fixing an in-line ceiling price for any person subject to a ceiling price regulation, in connection with which the District Director is authorized to act on an individual price determination or authorization, who fails to prepare or keep any record or file any report required in connection with the establishment of his ceiling price, or who fails to establish a ceiling price or to apply to the Office of Price Stabilization for the establishment of a ceiling price if such action is required by the applicable regulation.

This redelegation of authority shall take effect as of December 22, 1952.

JOHN A. FOX,
*Acting Regional Director, Region I.*

JANUARY 9, 1953.

[F. R. Doc. 53-313; Filed, Jan. 9, 1953; 4:50 p. m.]

---

[Region I, Redelegation of Authority No. 56]

DIRECTORS OF THE DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CHANGING AND ESTABLISHING SERVICE CHARGES FOR BANKS UNDER SR 22 TO CPR 34

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 83 (17 F R. 10525) this redelegation of authority is hereby issued.

1. *Authority to act under Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I, to accept applications, establish, approve or disapprove ceiling prices or changes in banking practices or to require further information under the provisions of Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended.

This redelegation of authority shall take effect as of December 22, 1952.

JOHN A. FOX,
*Acting Regional Director, Region I.*

JANUARY 9, 1953.

[F. R. Doc. 53-314; Filed, Jan. 9, 1953; 4:50 p. m.]

---

[Region I, Redelegation of Authority No. 57]

DIRECTORS OF THE DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 5, CPR 61

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 82 (17 F. R. 10525) this redelegation of authority is hereby issued.

1. *Authority to act under section 5 of CPR 61.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I, to receive and examine reports filed under the provisions of section 5 of Ceiling Price Regulation 61, to ascertain whether such reports conform to requirements of Ceiling Price Regulation 61, and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of section 5 of Ceiling Price Regulation 61.

This redelegation of authority shall take effect as of December 23, 1952.

JOHN A. FOX,
*Acting Regional Director Region I.*

JANUARY 9, 1953.

[F. R. Doc. 53-315; Filed, Jan. 9, 1953; 4:50 p. m.]

---

[Region I, Redelegation of Authority No. 58]

DIRECTORS OF THE DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 5 OF SR 110 TO THE GCPR

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 84 (17 F. R. 10748), this redelegation of authority is hereby issued.

1. *Authority to act under section 5 of SR 110 to the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I, to act on filings of reports required under section 5 of SR 110 to the GCPR.

This redelegation of authority shall take effect as of December 23, 1952.

JOHN A. FOX,
*Acting Regional Director Region I.*

JANUARY 9, 1953.

[F. R. Doc. 53-316; Filed, Jan. 9, 1953, 4:50 p. m.]

[Region I, Redelegation of Authority No. 59]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 14 OF SR 87 TO THE GCPR

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 85 (17 F. R. 10748), this redelegation of authority is hereby issued.

1. *Authority to act under section 14 of SR 87 to the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I, to process, in the respects indicated herein, applications for percentage markups filed under section 14 of SR 87 to the GCPR:

(a) To approve, disapprove, or revise downward proposed percentage markups.

(b) To request additional information with respect to proposed percentage markups.

This redelegation of authority shall take effect as of December 23, 1952.

JOHN A. FOX,
*Acting Regional Director, Region I.*

JANUARY 9, 1953.

[F. R. Doc. 53-317; Filed, Jan. 9, 1953; 4:51 p. m.]

---

[Region II, Redelegation of Authority No. 20, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION II, NEW YORK, N. Y.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENTS FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 43, Revision 1 (17 F. R. 11251) this Revision 1 to Redelegation of Authority No. 20 (17 F. R. 169) is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization of Region II to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National or Regional Offices.

This Revision 1 of Redelegation of Authority No. 20 shall take effect on January 10, 1953.

JAMES G. LYONS,
*Regional Director, Region II.*

JANUARY 9, 1953.

[F. R. Doc. 53-319; Filed, Jan. 9, 1953; 4:51 p. m.]

[Region II, Redelegation of Authority No. 44, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION II, NEW YORK, N. Y.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS OF CPR 161

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 75, Amendment 1 (17 F. R. 11764) this Amendment 1 to Redelegation of Authority No. 44 is hereby issued.

Redelegation of Authority No. 44 is amended to read as follows:

1. *Authority to act under sections 3, 4, 5, 6, 9 and 15 of CPR 161.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization of Region II to process in the respects indicated herein ceiling price reports or applications for new commodities filed under CPR 161, by manufacturers whose gross sales for their last complete fiscal year of commodities manufactured by them were less than $1,000,000 or by new manufacturers who do not expect their gross sales to exceed $1,000,000 during their first complete fiscal year.

(a) To approve, or disapprove proposed ceiling prices for new commodities under sections 3, 4 and 5 of CPR 161,

(b) To issue letter orders as provided in section 6 of CPR 161, establishing ceiling prices of new commodities for which a ceiling price cannot be calculated under sections 3, 4 and 5 of CPR 161,

(c) To issue letter orders disapproving or reducing ceiling prices reported or proposed as provided in section 9 of CPR 161,

(d) To request additional information, as provided in section 15 of CPR 161, where applicants submit proposed ceiling prices for new commodities under sections 3, 4, 5 and 6 of CPR 161.

This Amendment 1 to Redelegation of Authority No. 44 shall take effect on January 10, 1953.

JAMES G. LYONS,
*Regional Director, Region II.*

JANUARY 9, 1953.

[F. R. Doc. 53-320; Filed, Jan. 9, 1953; 4:51 p. m.]

---

[Region II, Redelegation of Authority No. 47, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION II, NEW YORK, N. Y.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 76, Revision 1 (17 F. R. 11252), this Revision 1 to Redelegation of Authority No. 47 (17 F. R. 10421) is hereby issued.

1. *Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization of Region II:

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers and suppliers of services except as follows:

(1) Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or

(2) Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

(3) Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National or the Regional Offices.

This Revision 1 of Redelegation of Authority No. 47 shall take effect on January 10, 1953.

JAMES G. LYONS,
*Regional Director Region II.*

JANUARY 9, 1953.

[F. R. Doc. 53-321; Filed, Jan. 9, 1953; 4:51 p. m.]

---

[Region II, Redelegation of Authority No. 54]

DIRECTORS OF DISTRICT OFFICES, REGION II, NEW YORK, N. Y.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 3 (C) OF SR 3, AS AMENDED, TO CPR 34, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 87 (17 F R. 11764) this Redelegation of Authority No. 54 is hereby issued.

1. *Authority to act under section 3 (c) of Supplementary Regulation 3, as amended, to CPR 34, as amended.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization of Region II to process the applications filed under section 3 (c) of Supplementary Regulation 3, as amended, to Ceiling Price Regulation 34, as amended, by sellers of automotive repair service; to issue letter orders permitting such sellers to substitute approved editions of or supplements to flat rate manuals or labor time schedules; and to modify the established customers' hourly rates of such sellers.

This Redelgation of Authority No. 54 shall take effect on January 10, 1953.

JAMES G. LYONS,
*Regional Director, Region II.*

JANUARY 9, 1953.

[F. R. Doc. 53-322; Filed, Jan. 9, 1953; 4:52 p. m.]

---

[Region III, Redelegation of Authority No. 23, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION III, PHILADELPHIA, PA.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. III, pursuant to Delegation of Authority No. 43, Revision 1 (17 F R. 11251) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region III to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office.

This Revision 1 to Redelegation of Authority No. 23 shall take effect as of December 23, 1952.

JOSEPH J. MCBRYAN,
*Director of Regional Office No. III.*

JANUARY 9, 1953.

[F. R. Doc. 53-323; Filed, Jan. 9, 1953; 4:52 p. m.]

---

[Region V, Redelegation of Authority No. 16, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION V ATLANTA, GA.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region V Atlanta, Georgia, pursuant to Delegation of Authority 43, Revision 1 (17 F R. 11251), this Revision 1 of Redelegation of Authority No. 16 is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the Columbia, South Carolina, Jackson, Mississippi; Jacksonville, Florida; Montgomery, Alabama, and Nashville, Tennessee, District Offices of the Office of Price Stabilization to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS District in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office or by the Regional Office of the Office of Price Stabilization, No. V

This Revision 1 of Redelegation of Authority No. 16 shall take effect as of December 18, 1952.

CHARLES B. CLEMENT,
*Acting Director of Regional Office V*

JANUARY 9, 1953.

[F. R. Doc. 53-324; Filed, Jan. 9, 1953; 4:52 p. m.]

---

[Region V, Redelegation of Authority No. 51, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION V, ATLANTA, GA.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region V, Atlanta, Georgia, pursuant to Delegation of Authority 76, Revision 1 (17 F R. 11252), this Revision 1 of Redelegation of Authority No. 51 is hereby issued.

*Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby redelegated to the Directors of the Columbia, South Carolina; Jackson, Mississippi; Jacksonville, Florida, Montgomery Alabama, and Nashville, Tennessee, District Offices of Price Stabilization:

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and supplies of services except as follows:

1. Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or;

2. Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

3. Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National Office or by the Regional Office of the Office of Price Stabilization, No. V

This Revision 1 of Redelegation of Authority No. 51 shall take effect as of December 18, 1952.

CHARLES B. CLEMENT,
*Acting Director of Regional Office V*

JANUARY 9, 1953.

[F. R. Doc. 53-325; Filed, Jan. 9, 1953; 4:52 p. m.]

[Region VI, Redelegation of Authority No. 20, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000, OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization No. VI, pursuant to Delegation of Authority No. 43, Revision 1 (17 F. R. 11251) this Revision 1 to Redelegation of Authority No. 20 (17 F R. 456) is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Detroit, Michigan, and Louisville, Kentucky, to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National or Regional offices.

This Revision 1 to Redelegation of Authority No. 20 shall take effect as of December 23, 1952.

SYDNEY A. HESSE,
*Regional Director Region VI.*

JANUARY 9, 1953.

[F. R. Doc. 53-326; Filed, Jan. 9, 1953; 4:52 p. m.]

---

[Region VI, Redelegation of Authority No. 46, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization No. VI, pursuant to Delegation of Authority No. 76, Revision 1 (17 F. R. 11252) this revised redelegation of authority is hereby issued.

1. *Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Detroit, Michigan, and Louisville, Kentucky.

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

(1) Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or

(2) Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

(3) Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National or Regional offices.

This Revision 1 of Redelegation of Authority No. 46 shall take effect as of December 23, 1952.

SYDNEY A. HESSE,
*Regional Director, Region VI.*

JANUARY 9, 1953.

[F. R. Doc. 53-327; Filed, Jan. 9, 1953; 4:53 p. m.]

---

[Region VII, Redelegation of Authority No. 23, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VII, CHICAGO, ILL.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VII, pursuant to Delegation of Authority No. 43, Revision 1 (17 F. R. 11251) this Redelegation of Authority No. 23, Revision 1, is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Indianapolis, Indiana, and Milwaukee, Wisconsin, to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office.

This Revision 1 of Redelegation of Authority No. 23 shall take effect on January 10, 1953.

B. EMMET HARTNETT,
*Director of Regional Office No. VII.*

JANUARY 9, 1953.

[F. R. Doc. 53-328; Filed, Jan. 9, 1953; 4:53 p. m.]

[Region VII, Redelegation of Authority No. 44, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VII, CHICAGO, ILL.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VII, pursuant to Delegation of Authority No. 76, Revision 1 (17 F. R. 11252) this Redelegation of Authority No. 44, Revision 1, is hereby issued.

1. *Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Indianapolis, Indiana, and Milwaukee, Wisconsin:

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

1. Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or

2. Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

3. Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National Office.

This Revision 1 of Redelegation of Authority No. 44 shall take effect on January 10, 1953.

B. EMMET HARTNETT,
*Director of Regional Office No. VII.*

JANUARY 9, 1953.

[F. R. Doc. 53-329; Filed, Jan. 9, 1953; 4:53 p. m.]

---

[Region VIII, Redelegation of Authority No. 20, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VIII, MINNEAPOLIS, MINN.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 43, Revision 1, dated December 11, 1952 (17 F. R. 11251), this revised redelegation of authority is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII, to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to Region VIII, the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office to the Regional Office and in turn referred to the District Office by the Regional Office.

This revised redelegation of authority shall take effect as of December 17, 1952.

JOSEPH ROBBIE, Jr.,
*Regional Director Region VIII.*

JANUARY 9, 1953.

[F. R. Doc. 53-330; Filed, Jan. 9, 1953; 4:53 p. m.]

---

[Region VIII, Redelegation of Authority No. 45, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VIII, MINNEAPOLIS, MINN.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 76, Revision 1, dated December 11, 1952 (17 F R. 11252) this revised redelegation of authority is hereby issued.

1. *Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII:

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

(1) Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside Region VIII, the OPS Region in which their principal place of business is located, or

(2) Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

(3) Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National Office to the Regional Office and in turn referred to the District Office by the Regional Office.

This revised redelegation of authority shall take effect as of December 17, 1952.

JOSEPH ROBBIE, Jr.,
*Regional Director, Region VIII.*

JANUARY 9, 1953.

[F. R. Doc., 53-331; Filed, Jan. 9, 1953 4:54 p. m.]

---

[Region VIII, Redelegation of Authority No. 53]

DIRECTORS OF DISTRICT OFFICES, REGION VIII, MINNEAPOLIS, MINN.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 3 (C) OF SR 3, AS AMENDED, TO CPR 34, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 87, dated December 23, 1952 (17 F R. 11764) this redelegation of authority is hereby issued.

1. *Authority to act under section 3 (c) of Supplementary Regulation 3, as amended, to CPR 34, as amended.* Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII, to process the applications filed under section 3 (c) of Supplementary Regulation 3, as amended, to Ceiling Price Regulation 34, as amended, by sellers of automotive repair service; to issue letter order permitting such sellers to substitute approved editions, of or supplements to flat rate manuals or labor time schedules in place of altered flat rate manuals or labor time schedules; and to modify the established customers' hourly rates of such sellers.

This redelegation of authority shall take effect as of December 23, 1952.

JOSEPH ROBBIE, Jr.,
*Regional Director, Region VIII.*

JANUARY 9, 1953.

[F. R. Doc. 53-332; Filed, Jan. 9, 1953; 4:54 p. m.]

---

[Region IX, Redelegation of Authority No. 4, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 8, Revision 1, dated November 25, 1952 (17 F R. 10748) this Revision 1 of Redelegation of Authority No. 4 (16 F R. 7951) is hereby issued.

Redelegation of Authority No. 4 is revised to read as follows:

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to take appropriate action under sections 15 (c) 23, 26, 26a, 27, 27a, 27b, 27c, 28, 28b, and 28c of CPR 14, sections 21a, 26, 26a, 27, and 30 (b) of CPR 15, and sections 22b, 24, 24a, and 26 (b) of CPR 16.

This Revision 1 of Redelegation of Authority No. 4 shall take effect as of December 19, 1952.

M. A. BROOKS,
*Regional Director, Region IX.*

JANUARY 9, 1953.

[F. R. Doc. 53-333; Filed, Jan. 9, 1953; 4:54 p. m.

---

[Region IX, Redelegation of Authority No. 30, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 11, Revision 2, dated November 26, 1952 (17 F R. 10911) this Revision 1 to Redelegation of Authority No. 30 (17 F R. 2947), as amended (17 F R. 8200) is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to take any action provided for by Distribution Regulation 1, Revision 1, with respect to Class 2 or Class 2A slaughterers.

This Redelegation of Authority No. 30, Revision 1, supersedes Redelegation of Authority No. 30, issued March 21, 1952, and all amendments thereto.

This Revision 1 of Redelegation of Authority No. 30 shall take effect as of December 19, 1952.

M. A. BROOKS,
*Regional Director, Region IX.*

JANUARY 9, 1953.

[F. R. Doc. 53-334; Filed, Jan. 9, 1953; 4:54 p. m.]

---

[Region IX, Redelegation of Authority No. 39, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 24, AS AMENDED, SECTION 11 (B) (2)

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 68, Amendment 1, dated September 25, 1952 (17 F R. 8597), this Amendment 1 to Redelegation of Authority No. 39 (17 F R. 5704), is hereby issued.

Redelegation of Authority No. 39 is amended by adding a new paragraph to read as follows:

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to act under section 11 (b) (2) of CPR 24, as amended.

This Amendment 1 to Redelegation of Authority No. 39 shall take effect as of December 19, 1952.

M. A. BROOKS,
*Regional Director Region IX.*

JANUARY 9, 1953.

[F. R. Doc. 53-335; Filed, Jan. 9, 1953; 4:54 p.m.]

---

[Region IX, Redelegation of Authority No. 51]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CHANGES AND ESTABLISHING SERVICE CHARGES FOR BANKS UNDER SR 22 TO CPR 34

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 83, dated November 17, 1952 (17 F. R. 10525) this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to accept applications, establish, approve or disapprove ceiling prices or changes in banking practices or to require further information under the provisions of Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended.

This redelegation of authority shall take effect as of December 22, 1952.

M. A. BROOKS,
*Regional Director Region IX.*

JANUARY 9, 1953.

[F. R. Doc. 53-336; Filed, Jan. 9, 1953; 4:56 p.m.]

---

[Region IX, Redelegation of Authority No. 52]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 5 OF SR 110 TO THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 84, dated November 25, 1952 (17 F. R. 10748) this redelgation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to act on filings of reports required under section 5 of SR 110 to the GCPR.

This redelegation of authority shall take effect as of December 22, 1952.

M. A. BROOKS,
*Regional Director, Region IX.*

JANUARY 9, 1953.

[F. R. Doc. 53-337; Filed, Jan. 9, 1953; 4:56 p.m.]

[Region IX, Redelegation of Authority No. 53]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 14 OF SR 87 TO THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 85, dated November 25, 1952 (17 F R. 10748) this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to process, in the respects indicated herein, applications for percentage markups filed under section 14 of SR 87 to the GCPR:

(a) To approve, disapprove, or revise downward proposed percentage markups.

(b) To request additional information with respect to proposed percentage markups.

This redelegation of authority shall take effect as of December 22, 1952.

M. A. BROOKS,
*Regional Director, Region IX.*

JANUARY 9, 1953.

[F. R. Doc. 53-338; Filed, Jan. 9, 1953; 4:56 p. m.]

---

[Region IX, Redelegation of Authority No. 54]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENTS OF CEILING PRICES OF CERTAIN SELLERS OF AUTOMOTIVE AND FARM EQUIPMENT REPAIR SERVICES UNDER SR 26 TO CPR 34

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 86, dated December 2, 1952 (17 F. R. 10911), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to process applications for adjustment filed under section 4 of Supplementary Regulation 26 to Ceiling Price Regulation 34; to issue letter orders establishing adjusted ceiling prices for automotive and farm equipment repair services covered thereby; to issue letter orders denying such applications for adjustment; and to request additional information as provided in section 4 of Supplementary Regulation 26 to Ceiling Price Regulation 34.

This redelegation of authority shall take effect as of December 22, 1952.

M. A. BROOKS,
*Regional Director, Region IX.*

JANUARY 9, 1953.

[F. R. Doc. 53-339; Filed, Jan. 9, 1953; 4:56 p.m.]

[Region X, Redelegation of Authority No. 19, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, Dallas, Texas, pursuant to Delegation of Authority 43, Revision 1, (17 F. R. 11251) this revised redelegation of authority is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the District Offices, Office of Price Stabilization, Region X, to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office.

This revised redelegation of authority shall take effect as of December 29, 1952.

B. FRANK WHITE,
*Director of Regional Office No. X.*

JANUARY 9, 1953.

[F. R. Doc. 53-340; Filed, Jan. 9, 1953; 4:57 p. m.]

---

[Region X, Redelegation of Authority No. 23, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. X, Dallas, Texas, pursuant to Delegation of Authority No. 11, Revision 2, (17 F. R. 10911) this Revision 1 to Region X Redelegation of Authority No. 28 is hereby issued.

Region X Redelegation of Authority No. 28 is revised to read as follows:

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization to take any action provided for by Distribution Regulation 1, Revision 1, with respect to Class 2 or Class 2A slaughterers.

2. This Redelegation of Authority 23, Revision 1, supersedes Redelegation of Authority 28, issued April 4, 1952.

This revised redelegation of authority shall take effect as of December 8, 1952.

ALFRED L. SEELYE,
*Director of Regional Office No. X.*

JANUARY 9, 1953.

[F. R. Doc. 53-341; Filed, Jan. 9, 1953; 4:57 p. m.]

[Region X, Redelegation of Authority No. 46, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. X, Dallas, Texas, pursuant to Delegation of Authority 76, Revision 1 (17 F. R. 11252) this revised redelegation of authority is hereby issued.

1. *Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby redelegated to the Directors of the District Offices, Office of Price Stabilization, Region X.

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

(1) Firms which expect to sell a substantial amount of the commodies covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or

(2) Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

(3) Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National Office.

This revised redelegation of authority shall take effect as of December 27, 1952.

B. FRANK WHITE,
*Director of Regional Office No. X.*

JANUARY 9, 1953.

[F. R. Doc. 53-342; Filed, Jan. 9, 1953; 4:57 p. m.]

---

[Region X, Redelegation of Authority No. 53]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENTS OF CEILING PRICES OF CERTAIN SELLERS OF AUTOMOTIVE AND FARM EQUIPMENT REPAIR SERVICES UNDER SR 26 TO CPR 34

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 86 (17 F. R. 10911) this redelegation of authority is hereby issued.

1. *Authority to act under section 4 of SR 26 to CPR 34.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region X, to process applications for adjustment filed under section 4 of Supplementary Regulation 26 to Ceiling Price Regulation 34; to issue letter orders establishing adjusted ceiling prices for automotive and farm equipment repair services covered thereby; to issue letter orders denying such applications for adjustment; and to request additional information as provided in section 4 of Supplementary Regulation 26 to Ceiling Price Regulation 34.

This redelegation of authority shall take effect as of December 12, 1952.

B. FRANK WHITE,
*Acting Director of Regional Office No. X.*

JANUARY 9, 1953.

[F. R. Doc. 53-343; Filed, Jan. 9, 1953; 4:57 p. m.]

---

[Region XI, Redelegation of Authority No. 2, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XI, DENVER, COLO.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 8, Revision 1, issued November 25, 1952 (17 F. R. 10748) this revised redelegation of authority is hereby issued. This redelegation of authority supplements and extends the authority granted to all of the District Directors in Region XI by Redelegations of Authority Nos. 2, 6 and 10.

Redelegation of Authority No. 2 is revised to read as follows:

1. Authority is hereby redelegated to the Directors of each of the District Offices in Region XI, Office of Price Stabilization, to take appropriate action under sections 15 (c) 23, 26, 26a, 27, 27a, 27b, 27c, 28, 28b and 28c of CPR 14, sections 21a, 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b) 24, 24a, and 26 (b) of CPR 16.

This redelegation of authority shall take effect as of December 8, 1952.

DELBERT M. DRAPER,
*Regional Director*

JANUARY 9, 1953.

[F. R. Doc. 53-344; Filed, Jan. 9, 1953; 4:58 p. m.]

---

[Region XI, Redelegation of Authority No. 26, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XI, DENVER, COLO.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING AN ANNUAL SALES VOLUME OF $1,000,000 OR LESS UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 43, Revision 1 (17 F. R. 11251) this redelegation of authority is hereby issued.

1. *Authority to Act under GOR 10.* Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region XI to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS District in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office, and thereafter referred by the Regional Office to the District Office.

This Revision 1 of Redelegation of Authority No. 26 shall take effect as of December 22, 1952.

DELBERT M. DRAPER,
*Regional Director*

JANUARY 9, 1953.

[F. R. Doc. 53-345; Filed, Jan. 9, 1953; 4:58 p. m.]

---

[Region XI, Redelegation of Authority No. 58]

DIRECTORS OF DISTRICT OFFICES, REGION XI, DENVER, COLO.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 14 OF SR 87 TO THE GCPR—CEILING PRICES FOR RESELLERS OF LUMBER AND ALLIED WOOD PRODUCTS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 85 (17 F. R. 10748) this Redelegation of Authority No. 58 is hereby issued.

1. *Authority to act under section 14 of SR 87 to the GCPR.*

Authority is hereby redelegated to each of the Directors of the District Offices of the Office of Price Stabilization in Region XI to process, in the respects indicated herein, applications for percentage markups filed under section 14 of SR 87 to the GCPR:

(a) To approve, disapprove, or revise downward proposed percentage markups;

(b) To request additional information with respect to proposed percentage markups.

This Redelegation of Authority No. 58 shall take effect as of December 15, 1952.

DELBERT M. DRAPER,
*Regional Director.*

JANUARY 9, 1953.

[F. R. Doc. 53-346; Filed, Jan. 9, 1953; 4:58 p. m.]

---

[Region XI, Redelegation of Authority No. 59]

DIRECTORS OF DISTRICT OFFICES, REGION XI, DENVER, COLO.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 5 OF SR 110 TO TRUE MAHOGANY LOGS AND LUMBER

By virtue of the authority vested in me as Director of the Regional Office

of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 84 (17 F. R. 16748), this Redelegation of Authority No. 59 is hereby issued.

1. *Authority to act under section 5 of SR 110 to the GCPR.*

Authority is hereby redelegated to each of the Directors of the District Offices of the Office of Price Stabilization in Region XI to act on filings of reports required under section 5 of SR 110 to the GCPR.

This Redelegation of Authority No. 59 shall take effect as of December 15, 1952.

DELBERT M. DRAPER,
*Regional Director.*

JANUARY 9, 1953.

[F. R. Doc. 53-347; Filed, Jan. 9, 1953; 4:58 p. m.]

---

[Region XII, Redelegation of Authority No. 63]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENTS OF CEILING PRICES OF CERTAIN SELLERS OF AUTOMOTIVE AND FARM EQUIPMENT REPAIR SERVICES UNDER SR 26 TO CPR 34

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 86 (17 F. R. 10911) this redelegation of authority is hereby issued.

1. *Authority to act under section 4 of SR 26 to CPR 34.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to process applications for adjustment filed under section 4 of Supplementary Regulation 26 to Ceiling Price Regulation 34; to issue letter orders establishing adjusted ceiling prices for automotive and farm equipment repair services covered thereby to issue letter orders denying such applications for adjustment; and to request additional information as provided in section 4 of Supplementary Regulation 26 to Ceiling Price Regulation 34.

This redelegation of authority shall take effect as of December 15, 1952.

JOHN H. TOLAN, Jr.,
*Director of Regional Office No. XII.*

JANUARY 9, 1953.

[F. R. Doc. 53-348; Filed, Jan. 9, 1953; 4:58 p. m.]

---

[Region XII, Redelegation of Authority No. 63, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENTS OF CEILING PRICES OF CERTAIN SELLERS OF AUTOMOTIVE AND FARM EQUIPMENT REPAIR SERVICES UNDER SR 26 TO CPR 34

By virtue of the authority vested in the Director of Regional Office of the Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 86 (17 F. R. 10911), Redelegation of Authority No. 63 is amended by changing the effective date to December 3, 1952, and adding the following paragraph.

All actions taken by district offices under section 4 of SR 26 to CPR 34, previous to this authority, are hereby confirmed and validated.

This amendment shall take effect immediately.

JOHN H. TOLAN, Jr.,
*Director of Regional Office, No. XII.*

JANUARY 9, 1953.

[F. R. Doc. 53-349; Filed, Jan. 9, 1953; 4:59 p. m.]

---

[Region XII, Redelegation of Authority No. 38, Amdt. 5]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 11, Revision 2 (17 F. R. 10911), Redelegation of Authority No. 38 (17 F. R. 2947, 4132, 4866, 7798, 9001) is hereby amended to read as follows:

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to take any action provided for by Distribution Regulation 1, Revision 1, with respect to Class 2 or Class 2A slaughterers.

This amendment shall take effect as of December 15, 1952.

JOHN H. TOLAN, Jr.,
*Director of Regional Office No. XII.*

JANUARY 9, 1953.

[F. R. Doc. 53-350; Filed, Jan. 9, 1953; 4:59 p. m.]

---

[Region XII, Redelegation of Authority No. 34, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 43, Revision 1 (17 F R. 11251) Redelegation of Authority No. 34 (17 F. R. 2347) is amended to read as follows:

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office.

This amendment shall take effect as of December 28, 1952.

JOHN H. TOLAN, Jr.,
*Director of Regional Office No. XII.*

JANUARY 9, 1953.

[F. R. Doc. 53-351; Filed, Jan. 9, 1953; 4:59 p. m.]

---

[Region XII, Redelegation of Authority No. 58, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF GCPR

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 76, Revision 1 (17 F. R. 11252) Redelegation of Authority No. 58 (17 F. R. 10428) is amended to read as follows:

1. *Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII.

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

1. Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or

2. Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

3. Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National Office.

This amendment shall take effect as of December 28, 1952.

JOHN H. TOLAN, Jr.,
*Director of Regional Office No. XII.*

JANUARY 9, 1953.

[F. R. Doc. 53-352; Filed, Jan. 9, 1953; 4:59 p. m.]

[Region XII, Redelegation of Authority No. 62]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 5 OF CR 110 TO GCPR

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 84 (17 F R. 10748) this redelegation of authority is hereby issued.

1. *Authority to act under section 5 of SR 110 to the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to act on filings of reports required under section 5 of SR 110 to GCPR.

This redelegation of authority shall take effect as of December 15, 1952.

JOHN H. TOLAN, Jr.,
*Director of Regional Office No. XII.*

JANUARY 9, 1953.

[F. R. Doc. 53-353; Filed, Jan. 9, 1953; 4:59 p..m.]

---

[Region XII, Redelegation of Authority No. 64]

DIRECTORS OF THE DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 14 OF SR 87 TO GCPR

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 85 (17 F. R. 10748) this redelegation of authority is hereby issued.

1. *Authority to act under section 14 of SR 87 to the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to process, in the respects indicated herein, applications for percentage markups filed under section 14 of SR 87 to the GCPR.

(a) To approve, disapprove, or revise downward proposed percentage markups.

(b) To request additional information with respect to proposed percentage markups.

This redelegation of authority shall take effect as of December 15, 1952.

JOHN H. TOLAN, Jr.,
*Director of Regional Office No. XII.*

JANUARY 9, 1953.

[F. R. Doc. 53-354; Filed, Jan. 9, 1953; 4:59 p. m.]

---

[Region XII, Redelegation of Authority No. 65]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 8, Revision 1 (17 F.R. 10748) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to take appropriate action under sections 15 (c) 23, 26, 26a, 27, 27a, 27b, 27c, 28, 28b, and 28c of CPR 14, sections 21a, 26, 26a, 27, and 30 (b) of CPR 15, and sections 22 (b) 24, 24a, and 26 (b) of CPR 16.

This redelegation of authority shall take effect as of December 15, 1952.

JOHN H. TOLAN, Jr.,
*Director of Regional Office No. XII.*

JANUARY 9, 1953.

[F. R. Doc. 53-355; Filed, Jan. 9, 1953; 5:00 p. m.]

---

[Region XIII, Redelegation of Authority No. 2, Revision 2]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 8, Revision 1 (17 F R. 10748) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively, to take appropriate action under sections 15 (c) 23, 26, 26a, 27, 27a, 27b, 27c, 28, 28b, and 28c of CPR 14; sections 21a, 26, 26a, 27, and 30 (b) of CPR 15; and sections 22 (b) 24, 24a, and 26 (b) of CPR 16.

This redelegation of authority shall become effective as of December 12, 1952.

HAROLD WALSH,
*Regional Director, Region XIII.*

JANUARY 9, 1953.

[F. R. Doc. 53-356; Filed, Jan. 9, 1953; 5:00 p. m.]

---

[Region XIII, Redelegation of Authority No. 22, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 11, Revision 2 (17 F R. 10911) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively, to take any action provided for by Distribution Regulation 1, Revision 1, with respect to Class 2 or Class 2A slaughterers.

This redelegation of authority shall become effective as of December 15, 1952.

HAROLD WALSH,
*Regional Director, Region XIII.*

JANUARY 9, 1953.

[F. R. Doc. 53-357; Filed, Jan. 9, 1953; 5:00 p. m.]

---

[Region XIII, Redelegation of Authority No. 25, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 43, Revision 1 (17 F R. 11251) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively, to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office.

This redelegation of authority shall become effective as of December 29, 1952.

HAROLD WALSH,
*Regional Director, Region XIII.*

JANUARY 9, 1953.

[F. R. Doc. 53-358; Filed, Jan. 9, 1953; 5:01 p. m.]

---

[Region XIII, Redelegation of Authority No. 34, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 76, Revision 1 (17 F. R. 11252), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively:

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

1. Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or

2. Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year.

3. Firms who make a report or application for a group of retail sellers which

have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National Office.

This redelegation of authority shall become effective as of December 24, 1952.

HAROLD WALSH,
*Regional Director, Region XIII.*

JANUARY 9, 1953.

[F. R. Doc. 53-359; Filed, Jan. 9, 1953; 5:01 p. m.]

---

[Region XIII, Redelegation of Authority No. 41]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 5 OF SR 110 TO GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 84 (17 F R. 10748) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively, to act on filings of reports required under section 5 of Supplementary Regulation 110 to the General Ceiling Price Regulation.

This redelegation of authority shall become effective as of December 12, 1952.

HAROLD WALSH,
*Regional Director, Region XIII.*

JANUARY 9, 1953.

[F. R. Doc. 53-360; Filed, Jan. 9, 1953; 5:02 p. m.]

---

## DEPARTMENT OF COMMERCE

### National Production Authority

[Suspension Order 42; Docket No. 35]

WARNER MFG. CORP.

SUSPENSION ORDER; MODIFICATION

The first hearings upon the charges made in the complaint of the National Production Authority in the above-entitled matter were held in New York City, New York, before Hearing Commissioner Fawcett on September 15 and 16, and October 2 and 3, 1952. The National Production Authority and respondents, the appellants herein, were represented by counsel. On September 28, 1952, Commissioner Fawcett issued Suspension Order 42, suspending the respondents from all assistance under the Defense Production Act until June 30, 1953. He found that the Government had failed to sustain proof in only one of the eleven items charged, the 5th, which charged that the respondents had failed to maintain accurate records of allotments received and procurement pursuant to all allotments in violation of CMP Regulation No. 1, section 23 (a), dated May 3, 1951 (16 F. R. 4127) as amended November 23, 1951 (16 F. R. 11860). He did find, however, that the corporation and the individual respondents, the appellants herein, had committed acts as charged in violation of NPA orders under-charges 1 to 4 and 6 to 11 of the complaint in the above matter. No appeal has been taken by the National Production Authority as to his finding on charge 5, but the respondents have appealed on all the remaining charges which were found against them as set forth above.

An unsuccessful request for a stay order herein was made on October 31, 1952. Later the appeal was held before me, J. Forrester Davison, as designated appellate commissioner in this matter. On November 14, 1952, in the Department of Commerce Building, Washington, D. C., the appellants presented their case, being represented by Mr. Samuel H. Nelson and Mr. Roger J. Whiteford. Mr. Morris Miller was also of counsel. The National Production Authority was represented by Mr. Bernard Shandler of the Office of the General Counsel and Mr. William Kennedy of the New York Regional Office. Following the hearing, a transcript of a National Production Authority Appeals Board hearing which had been offered by Mr. Shandler was excluded by me from the record because it was not directly related to the matters under consideration. A memorandum ruling to that effect was sent to the parties, dated November 20, 1952. A written brief was later submitted on behalf of the appellants covering the points on appeal and was received on December 1, 1952. Although the Government was requested by the appellate commissioner to file a brief in reply, counsel for the Government did not find it possible to do so before the time for reply had expired, but elected to stand on the record only, rather than apply for an extension of time.

At the outset, charges 1 to 4 and part of charge 11 present a difficult question of interpretation. NPA Order M-7, issued November 13, 1950 (15 F. R. 1667), as amended December 1, 1950 (15 F. R. 8576), had a hardship clause with respect to the application of section 26.25 (b). Persons later covered by a published interpretation of this clause did not have to apply to the National Production Authority for relief under the terms of the order. Under this official interpretation (Direction 2 to NPA Order M-7, issued December 16, 1950, 15 F. R. 9141) which was later incorporated in the amended versions of NPA Order M-7, the base period on which permitted use for the first 6 months of 1951 was to be calculated, was to be either the average use for the first 6 months of 1950 or the average monthly use during the months of October and November 1951, depending upon certain factors as set forth therein. This Direction 2 to NPA Order M-7 applied to

"the classes of cases described below whether or not applications for adjustment have been filed with the National Production Authority under section 26.29. This determination is subject, however, to the conditions hereinafter stated.

(i) Cases in which it is claimed that the base period specified in the subpart [January 1, 1950, to June 30, 1950] is inapplicable because: (a) the applicants commenced new business operations during or after the base period; or (b) although the applicants' business operations were commenced prior to the base period, the applicants produced or manufactured a new product during or after the base period."

The direction continues, after stating the permitted usage as above, to give illustrations, one of which applies to the period before, and the other subsequent to, June 30, 1950, but they cannot be interpreted as exhaustive of the meaning of "classes of cases" under subdivision (i) above. Those cases were apparently to be considered with reference to the emergency created by the outbreak of hostilities in Korea in June 1950 and were not exhaustively covered by the two illustrations given in this part of the direction.

The facts of this case as shown by the record concerning the operations during 1950, which would be the basis for the relief granted by Direction 2, fall within neither of the two illustrations given, but must be covered by the phrase quoted above, i. e., "classes of cases described below," and entitled to use a base period of average usage in October and November 1950. The Warner Mfg. Corp. had moved from one set of premises to another, beginning at some time in 1949, and continuing through the first quarter of 1950. Its first operations in the new plant were in 1950, beginning about the first quarter. Not until about the third quarter of 1950 did it reach full production at the new premises. In addition, during the second quarter of 1950 it started production of an entirely new product, an aluminum door, which did not reach a full production rate until some time in the second half of 1950. It had sold doors at an earlier period but they had been manufactured by others and bought by the appellant company for the purpose of resale.

There appear to be no additional published policy statements or interpretations which throw light on the meaning of the hardship policy exemptions set forth in Direction 2 to NPA Order M-7 as above. The parties have both urged during the hearing and the appeal that the language used in that direction must be given a strict interpretation. Applying that language to the facts of this case, it would appear that the appellant herein produced a new product during and after the base period, which is defined as the 6-month period ending June 30, 1950. While its business operations were not generally started for the first time in that period, it operated a new plant and developed its operations on a more extended basis during the base period. Since the policy of the direction is to grant relief, and both parties have urged a strict interpretation of the words used, I accept the appellants' claim that they are entitled to take as a measure of permitted use of aluminum the average

monthly use during the months of October and November 1950. It is possible that this is not in accord with the intention of the National Production Authority at the time Direction 2 was issued, but in view of the language in Direction 2, and the absence of any other publicly stated policy, I believe that the appellants were justified in so relying on that interpretation.

The ascertainment of usage both in the alternate base periods and in the periods covered by the charges herein is extremely difficult, because the record of this case shows that no accurate use figures were maintained by the appellants on a monthly basis or on even a quarterly or annual basis for either the year 1950 or 1951. Only by a reconstruction from the records of company receipts and shipments of aluminum and manufactured products therefrom, with reference to the year-end inventories, taken on September 30 of each year, can any approximate use figures be obtained. The Government in the first part of the record below used figures presented by its own investigators, taken from the appellants' records, but which investigation shows were in part erroneous and in part incomplete. However, it also supported its case by relying on figures of admitted use given later in the record by representatives of the Warner Mfg. Corp. during their examination and cross examination. When these later figures are applied to the appellants' theory of base-period usage, i. e., average usage in October and November 1950, the acts charged in violation of NPA Order M-7, as set forth in charges 1 to 4 and the first part of charge 11, must be taken as not proven. The findings of the commissioner below are, therefore, reversed as to these charges.

The violations charged under CMP Regulation No. 1, as stated in charges 6 to 11 in the complaint herein, involve very different considerations. Here, again, the record of use and inventory is very unclear from the transcript, both in the hearing below and in the appeal. The hearing commissioner, however, found that the Government had not proven the acts charged in charge 5, of failure to maintain accurate records as required by CMP regulations, and such reconstruction of the facts as can be made must, therefore, be interpreted without prejudice to the appellants herein by reason of the adequacy of records. The reconstruction can be taken from such evidential material as the transcript provides, but because of the lack of proof to sustain the charges for the period covered by NPA Order M-7, which is the period ending June 30, 1951, the evidence, covering the period of CMP after that date, necessarily has to be considered as dealing with fresh issues and may not be related back to earlier violations.

Under the policy set forth in the amendments to CMP Regulation No. 1, orders for critical materials which were placed for delivery in the second quarter of 1951, but through no fault of the person placing the order could not be delivered until after that quarter, might be accepted in the third quarter of 1951 without charge to allotments made in the third quarter, whereas orders placed under third quarter allotments could only be accepted in the first 7 days of the fourth quarter of 1951 without charge to fourth quarter allotments. Fourth quarter allotments, however, could also be received in the first quarter of 1952 without charge to first quarter allotments if the late delivery was not caused by any fault of the person placing the order. In addition, any inventories held by producers at the beginning of the CMP period, i. e., July 1951, could be replaced in any later quarter, when used up in processing, without charge to the CMP allotment for that quarter. It is, therefore, vital to know when the various orders were placed, the quarter to which they were chargeable and charged, the amount of inventory of each type held at the beginning of the CMP period, and when it was used up and replaced.

The record herein is not helpful in determining these vital points set forth above. Respondents placed large orders for aluminum in the second quarter of 1951 for delivery in that quarter. This aluminum was mostly not delivered until the third quarter or later. From some of these orders they also acquired title to but not direct physical control of a quantity of aluminum ingots, which in the third quarter and thereafter were delivered to processors at the request of the appellants and held and processed to their account. In addition, aluminum was accepted by the appellants after October 7, 1951, without being charged to fourth quarter allotments, which came from third quarter allotments but which it was alleged was used to replace inventory on hand July 1, 1951, that had later been used up in manufacturing operations. Aluminum for the fourth quarter 1951 allotment was received in the first quarter of 1952. Large quantities of aluminum also were ordered over allotment amounts permitted in various quarters, but it is alleged in defense it was placed for future delivery as a legitimate anticipation of future allotments, and the lack of any means of identifying all of these orders and receipts with respect to permitted use for allotments makes the presentation of the Government's case very hard to follow. There are many bases for order and receipt of aluminum, which more complete records might or might not sustain as violations as charged herein of CMP regulations, but charge 5, as to records, was not sustained before the hearing commissioner. A similar condition is found with respect to the proof of excessive use of aluminum in the periods covered by charges 8, 9, and 10.

With all respect to the learned hearing commissioner's decision and suspension order on this difficult record, I believe that the commissioner on appeal has to be guided by probative evidence in the record and not by conjecture or by reference to policy determinations which have not been made public. From a consideration of the transcript of the evidence taken in the hearings below and the exhibits submitted therein, and also of the arguments and presentations on appeal, I cannot find that the acts claimed as violations in charges 6 to 10 are established by substantial and reliable evidence to be found in the record as a whole. The findings made below with respect to charges 6 to 10 must, therefore, also be reversed.

The role of the individual respondents, also appellants herein, in relation to the Warner Mfg. Corp. is not free from ambiguities, but in view of the reversal of the findings above concerning that company on charges 1 to 4 and 6 to 10, the findings made against the individuals by the hearing commissioner below under charge 11 must also be reversed.

No questions as to the constitutionality of the orders of the National Production Authority involved in these hearings, or the suspension order below, need now to be considered, although those questions were argued both at the original hearing and at the appeal.

While the unclear picture in this case makes difficult the task of writing any order on appeal, the Warner Mfg. Corp. has been for a period of over 2 months denied all CMP allotments and all other allocations and priority assistance under the Defense Production Act. Any dislocation the company may have caused to the allocation and priority system by reason of its improper placing of orders for, receipt of improper amounts of, or excessive use of, aluminum has been compensated for to a substantial degree by this date.

The appeal herein is granted as to all of the appellants, and Suspension Order 42 is modified so as to terminate January 2, 1953.

Dated this 2d day of January 1953.

NATIONAL PRODUCTION AUTHORITY,
By J. FORRESTER DAVISON,
*Appellate Commissioner*

[F. R. Doc. 53-458; Filed, Jan. 13, 1953; 11:12 a. m.]

## Office of the Secretary

### ORGANIZATION FOR STEEL INDUSTRY OPERATIONS

### REVOCATION OF NOTICE

The notice appearing at 17 F R. 3361 is hereby revoked. This revocation action shall not be construed to affect the legality or propriety of any order, directive, delegation of authority, or other action of the organization for steel industry operations during the period from April 11, 1952, to the effective date of this notice.

The records of the steel industry operations are hereby transferred to the Office of Facilities Operations and Management.

This notice is effective January 9, 1953.

[SEAL] CHARLES SAWYER,
*Secretary of Commerce.*

[F. R. Doc. 53-364; Filed, Jan. 13, 1953; 8:48 a. m.]